

# The Nation.

NEW YORK, THURSDAY, SEPTEMBER 19, 1872.

## The Week.

THE Massachusetts Liberals have nominated Mr. Sumner for the governorship, which was on the whole a good thing for them, though if Mr. Sumner should accept it, and, indeed, whether he does or not, it will be a bad thing for him. There is no combination of circumstances which can make it possible for him to appear as the Democratic candidate in Massachusetts without loss of character. His election to the United States Senate by a similar coalition in 1851 is not a case in point, as he was not then the Mr. Sumner he now is. The last twenty years have made him a man who cannot take a Democratic nomination. Of course, however, the nomination is only a compliment, and, as there is no chance of his being elected, does not threaten his Senatorship. The platform on which he was nominated contained the usual sentiments, seasoned with denunciation of the Administration. It had one novel plank, and the first honest plank of its kind we have ever seen, and this, strange to say, was the labor plank, which stated distinctly that the workingman had no right to expect anything of the State except—

"To give him the utmost facility honestly to acquire capital by seeing that he is not unnecessarily or unjustly taxed, that he enjoys the best means of education, and has the benefit of well-managed financial and co-operative institutions, whereby his smallest savings of capital may earn the largest profit; and the doing of this we hold to be the highest duty of the State."

Whatever may be said of the morality of it, the nomination of Mr. Sumner was tolerably shrewd, and will perhaps do more for the Massachusetts Greeleyites than any other nomination they could have made.

The Democrats of that State have at last thrown Mr. John Quincy Adams aside, partly as a punishment for his coquetting with the Louisville Convention, which is severely characterized by the Greeley moralists as "Grant's side show." We suspect that a good many gentlemen who joined the Greeley movement in its early days are now envying him his fate, and praying that a kind providence would interfere in some manner for their deliverance from the concern also. The Louisville nomination has been tendered once more to Mr. O'Connor, but again refused by him in a letter such as Cato the Censor might have written; that is, it is full of the loftiest personal independence and self-respect, of repugnance for the ways of politicians, and of indifference to any honors they may have at their disposal. But he leaves it to be understood that although he will not accept a nomination from a convention, or place himself on a platform drawn up for him by others, he will not refuse to serve if elected. We presume Mr. Adams occupies substantially the same ground, and we are told they will have an electoral ticket in every State, so that those who feel they cannot vote for either Grant or Greeley will be able to relieve their feelings by voting for two men of the highest character, and of great ability, whom we might all be proud to see in the highest places of the government, but whom, owing to the arrangements of a handful of wretched hacks, there is no practical use in supporting.

Nothing else of moment has occurred in the canvass. The Greeleyites have very shrewdly put up ex-Governor Curtin in Pennsylvania as their delegate at large to the State Constitutional Convention, in order that the respect of the community for Mr. Curtin and its sense of his great fitness for the business of constitution-making may thus be adroitly turned to the benefit of Mr. Greeley. But it must be confessed the situation looks better for the Greeleyites in Pennsylvania than in any other Northern State. Not only have they this nomination of Curtin to help them, but they have that of Buckalew (also a man of high character) for the governorship,

while the Grant State ticket is, from the most favorable point of view, of the poorest character. The person at the head of it, General Hartranft, is accused of the grossest personal dishonesty, and though vigorous, and we think successful, efforts are being made to clear him, it is rather too late to prevent his being a very heavy burden. So that, although there is little or no doubt that Grant has a good majority in the State, there is a chance, and not a small one, that the Greeleyites may carry it in October. This would not, we believe, prevent Grant's carrying it in November, but it would greatly encourage the Greeleyites all over the country, and have a very demoralizing effect on the feebler Grantites. Ohio is claimed for Grant by a handsome majority, Indiana by a small one; in both of these States there are elections next month. All the signs of the past week have been increasingly unfavorable to Greeley.

The *Evening Post* has been calling the *Tribune* to account, and rightfully, for quoting a portion of a speech of General Dix's in 1861, expressing readiness to have the South go, without quoting or mentioning the following paragraph, which qualified it to such a degree as to completely alter its sense; but as the *Post* has been always very calm and decorous during these exciting times, we were astounded to hear from it that it "did not remember ever to have seen a more shameless abuse of the columns of a newspaper, or a more unscrupulous falsification, base as a forgery, brutal, malicious, and clumsy as a lie." This really looks as if the *Post* was going to take off its coat and cravat, and join the young braves of Printing-house Square in those animated daily encounters in which they work off their superfluous vital energy, and has reminded us of an amusing passage in Lord Dufferin's "Letters from High Latitudes," describing a scene on board Prince Napoleon's ship, *La Reine Hortense*, when up in the Polar Sea. The sailors and officers were having a masquerade, to celebrate the fête of "Le Père Aretique," and were dancing the *Cancan* on deck. "At the commencement of the noisy festival," says Lord Dufferin, "I found myself standing on the hurricane deck, next to one of the grave savants attached to the expedition, who seemed to contemplate the antics which were being played at his feet with that sad smile of indulgence with which Wisdom sometimes deigns to commiserate the gaiety of Folly. Suddenly he disappeared from beside me, and the next that I saw or heard of him he was hard at work pirouetting on the deck below with a red-tailed demon, and exhibiting in his steps a 'verve' and a graceful audacity which at Paris would have certainly obtained for him the honors of expulsion at the hands of the municipal authorities."

The New York *Times* offered to wager, for the benefit of its Children's Fund, \$10,000 that it is "a lie" that Mr. Russell Jones gave Grant a lot in Chicago as the price of his appointment to the Belgian Mission. It being acknowledged that Grant paid over \$11,000 for the lot, the *Times* then offered to wager \$5,000 that Russell Jones did not give the money back. The *Tribunes* of Chicago and New York have charge of "the story," but decline the bet. Does the Chicago *Tribune* not think, let us ask, that this story is on the whole a pretty bad failure? It first said that Russell Jones gave Grant a lot for the appointment and offered as proof that the deed only showed a nominal consideration of one dollar. This, however, has been explained. The deed was only a preliminary conveyance of part of the land. Before the transaction was closed, General Grant paid a consideration of over \$11,000 for the whole. The Chicago *Tribune* does not deny this, but now says, without proof, that Jones gave the money back. Is not this, to put it mildly, something like trifling with the public intelligence?

A correspondent of the *Times* suggests that it should print a list of charges against the President and others, with sums annexed

which it will stake on their falsehood. It would be better still, and we should not wonder if it had to be done eventually, to compel all newspapers making "charges" against candidates for high offices to file them in the county clerk's office, and deposit a sum, fixed by regular legal tariff, to be forfeited in case of failure to make them good, and relieve all candidates from the necessity of answering any charges not so filed. The sum need not be large enough to repress scrutiny, and yet ought to be large enough to inspire caution, and the rates might be varied according to the rank of the candidate and the nature of the offence—so much for a president; so much for a governor or senator; so much for theft; so much for lying (habitual or occasional); so much for adultery; so much for fornication; and so much for drunkenness (habitual, convivial, or medicinal). A charge of entire want of conscience, which is occasionally made, and which includes all others, really predicates readiness for any villany, and ought, we think, to be accompanied by a declaration of readiness on the part of the maker to undergo sound corporal chastisement at the hands of a blacksmith in case of inability to prove it.

We have been called upon by Mr. J. M. Ashley for the purpose of convincing us that, in our recent comments on his case in connection with Mr. Doolittle's, we have done him injustice. Some of our readers may remember the facts of the charges against Mr. Ashley as set forth in these columns in April, 1869. In 1861, he, being a member of Congress from Ohio, sought the appointment of Surveyor-General of Colorado Territory for a person named Case. While seeking it, he wrote letters to Case, telling him that if he got it for him, he (Case) must appoint Ashley's brother his chief clerk—"salary, \$2,500"; that "the surveyor-generalship was the best office in the gift of the President, in which from \$50,000 to \$100,000 could be made in the four years"; that "if Case got it, he (Ashley) wanted to unite with him as full partner in land speculations and town sites"; that "the Pacific Railroad would go through the Territory; and that it would be a fortune to both of them if they got the place." Finally, Mr. Ashley invited Case to write him a letter about the appointment to be shown to others, and then, "on a separate piece of paper, his (Case's) views about the town and city lots speculation." Then comes this remarkable passage:

"I will probably be Chairman of the Committee on Territories, if we can carry out the programme to elect Grow Speaker, and your brother, Charley Case, of Indiana, clerk, and then I will know all the proposed expenditures in the Territories, and post you in advance. Write one letter for me, and the other to show. Damn your business in the Williams County Court! Write or telegraph."

The result of this correspondence was that Ashley and Case did actually enter into a partnership under seal, by which Case agreed to give Ashley half whatever lands he might purchase in Colorado, Ashley paying half their cost.

Having quarrelled with Ashley, Case afterwards published the correspondence, just as Connatty published Doolittle's, and the matter was investigated by a Committee of Congress, which found the remarkable verdict "that no condition precedent was demanded of F. M. Case for his appointment as Surveyor-General, or for the appointment of any of his subordinates, the evidence conclusively showing no illegal or corrupt acts on the part of the said Ashley with regard to the said appointment." The matter then dropped, and though twice brought up against Ashley when renominated for Congress, it did not hurt him. Better still, when he lost his seat in 1868, he was appointed Governor of Montana, 150 Republican senators and members of Congress signing his recommendation, and Mr. Sumner "working" hard for him in the Senate, where, however, the nomination was only confirmed by one vote. We do not need to point out to our readers how much worse all this is on the undisputed facts than anything which has been proved against Doolittle. Cotton-trading with the South was perfectly legitimate during the war, if *permitted*, and permits were freely given by Mr. Lincoln and Mr. Stanton to persons whom they wished to favor. The unproved charge against Doolittle is simply that he

used his senatorial influence to get a permit for another man, with the view of going into partnership with him. Mr. Ashley now comes to us and says that he ought not to have written the letters to Case; that what he told Case in those letters was untrue; that he could not, and did not, give him any information about "expenditures in the Territories" which was not open to everybody; and that his reason for thus attempting to deceive him was that Case was a candidate for a United States marshalship which it was essential, in Ashley's eyes, that somebody else should have; and that he, therefore, sought to dazzle Case into taking the surveyor-generalship. In other words, he shammed corruption in order to impose upon an office-seeker. We do not need to offer any comment on this, but we hereby invite Doolittle to come out of his retirement and lift up his tuneful voice for the Sage of Chappaqua once more. With the Case correspondence, Ashley's commission as governor, and the recommendation of the 150 Congressmen in his hands, he may defy the Grantites to put him to shame. But we warn all honest and intelligent men who are going to vote for Grant (as we think they ought) not to be deceived by "the noise of the captains and the shouting" into the belief that the Grant party is a reform party. In supporting Grant they will be saving the nation from something worse, but they will not be carrying it forward to something better. The party of reform has still to be organized, and for that we trust they will keep their faith and zeal fresh and unsullied.

The decision of the Geneva Tribunal has at last been officially announced. It finds England responsible for the *Alabama*, *Florida*, and *Shenandoah* only, and awards a gross sum of fifteen millions and a half of dollars to the United States. The Tribunal appears to have been unanimous with regard to the *Alabama* only; on the case of the *Florida*, it stood four to one; and of the *Shenandoah*, three to two. Sir Alexander Cockburn dissented with regard to the two last-named vessels, and refused to sign the award, and will give his reasons in a separate opinion. The money is payable in gold within a year, and we trust we shall witness the prompt distribution of it among the claimants. The Tribunal declined to consider the claim of the United States for the expenses of pursuing the privateers as not properly distinguishable from the general expenses of the war, and declined, also, to consider any question of "prospective earnings." Under the head of "prospective earnings and freight," Mr. Bancroft Davis claimed \$5,000,000; and under the head of expenses of pursuit he claimed \$7,000,000. The news, or at all events a story, now comes from Washington that the expenses of pursuit were really only \$1,000,000, and that the Government is going to retain this sum out of the award. Now we hold, and we think most honest men will agree with us, that if the Government retains anything out of the award for the expenses of pursuit, decency requires that it should retain all it claimed from Great Britain. But it seems plain enough, also, that as the Tribunal refused to recognize its claim to anything, it cannot, in fairness, make a deduction itself to be taken out of the pockets of the private citizens for whose compensation the award is really intended.

Father Hyacinthe has not only determined to marry, but has written a long letter to the *Independent*, giving his reasons. He denies stoutly that he left his convent with the desire or intention of marrying, and avers that he has rigidly kept his vow of celibacy ever since he took it at the age of eighteen. But he has come to the conclusion that "marriage is one of the laws of the moral world which cannot be set aside without overturning the fabric of life, and without running counter to the will of God," although celibacy may constitute "a holy and glorious exception." After reaching this conclusion, and being fully prepared to love and be loved, he met with some one to love him in the person of Mrs. Emily J. Meriman—an American lady who has had a very varied experience of life. She separated from her first husband, who is now dead; carried on a corset agency in Paris; was once a member of Henry Ward Beecher's church; and was converted to Catholicism



by Father Hyacinthe's preaching in Notre Dame, and is now, we presume, halfway back. Our readers may remember her also as the person who wished to go out as a deputation from the Woman's Suffrage Association in this country to persuade Bismarck and Jules Favre to stop fighting in 1870. Father Hyacinthe likewise maintains that celibacy is not an article of faith, and not even a rule of discipline of the whole Church, but only of the Latin Church; that the objection to it is a degrading prejudice; that celibacy, as "relating to what is most delicate, most personal, and most perilous in the relation of the soul to God," is not capable of being made the subject of a perpetual engagement. Besides fulfilling the great law of marriage, however, his object is to give France and the Church "an example" which he thinks they both need, and "of which the fruits, he believes, will be reaped by the future, even if they fail in the present." The letter is very eloquent, and curiously frank, and will be read with great delight by women and staunch Protestants; but we are, nevertheless, satisfied that it is the ruin of Father Hyacinthe as a reformer, or dissenter, or schismatic, or whatever you please to call him. He might have exercised great weight in the Old Catholic movement, or might, indeed, if of more heroic mould, have headed a religious revolution; but marriage is fatal to all this, because nothing will persuade the world that his desire for marriage had nothing to do with his leaving his convent. When a man is seen kissing a pretty girl, there is not the slightest use in his trying to persuade people that he does it *pro bono publico*. The world's incredulity on this point is old, deep, and ineradicable, and it grows out of a long and sorrowful experience of the influence of the sexual passion in perverting the judgment and clouding the reason; and the best as well as the worst of men have to be prepared, when they talk of gratifying this passion as a "duty," to be received with distrust, if not with scorn.

M. Thiers insisted that the French Assembly should tax raw materials, in defiance of their own better judgment and the opinion of almost the whole manufacturing interest of France, and threatened to resign and plunge the country into anarchy in case his wishes were not complied with. They were complied with, and he was armed with power to put the law in force, altogether or by piecemeal just as he pleased. He has now, after an interval of three months, begun to exercise this power, and has issued a decree at Trouville, applying the tax to certain specified articles; but, in view of all that has happened, it is impressing the public as something very ludicrous. M. Thiers fought the Assembly for two months, predicted the most wonderful results from the new tax, and even promised that it would balance the budget. But now, when he gets the weapon in his hands, the only use he makes of it is to clap a tax on rabbit, hare, and badger skins, pig and boar skins; fancy feathers; fresh fish caught by foreigners; rye and barley; fresh table fruits; exotic gums, copaiba, aloes, opium, cassia, and lichens; wood for cabinet-making, green vegetables, percussion caps, and worked furs. The *Journal des Débats* asks, with much merriment, whether "these are the articles from which the Government is to derive the \$8,000,000, which were promised with so much solemnity to the National Assembly?" M. Thiers has also got into trouble with his new navigation laws, putting a differential duty on commodities brought into France in foreign vessels. This was no sooner put in force than the foreign vessels carried goods destined for the French market to Antwerp, to be forwarded by rail into France, which has necessitated the imposition of a "surtax" on all goods coming on in this way, which of course opens the door to endless fraud.

Mr. Stanley's discovery of Dr. Livingstone, the coal question, and the meat question, have been occupying the English mind during the last month, almost to the exclusion of everything else. Mr. Stanley has come victorious out of all assaults on his veracity, which of course, considering the nature of the documents he brought home with him, were from the first absurd, and has at

least achieved the honor and certificate of good character known as the receipt of a gold snuff-box from the Queen, the snuff-box being the conventional but very comical royal gift. The latest point of interest about him is the place of his nativity. There are dark rumors that he is a Welshman by birth, which, however, he has publicly declined to refute, though challenged to do so, until his biography appears. The question has some importance, inasmuch as, if he is a Welshman, the honor of having produced him will be taken away from the United States, and will pass to Great Britain, in spite of the naturalization treaty. The interest in the Stanley exploit and in Livingstone's fate has been heightened by the return of Lieutenant Dawson, who was sent out by the Royal Geographical Society in charge of an expedition for Livingstone's relief. On arriving at Zanzibar, he found that Mr. Stanley had seen Livingstone and furnished him with supplies, and was on his way home with his despatches. He then consulted, according to his instructions, with Dr. Kirk, the British political agent at that place, and discovered that such were Livingstone's feelings towards the Geographical Society that, if he went on, he would probably, as its agent, not be welcomed by him, and therefore returned. It appears now that Dr. Livingstone holds the Society in a good deal of dislike and contempt, and has abused it in his despatches to the Government in such a way that passages in them referring to it had to be omitted for decency's sake in making up the Blue Book. He talks of them as a parcel of "insane geographers," and charges them with suppressing or mutilating his reports because they do not bear out the views of some of their leading members. Moreover, although the Society claims credit for employing Livingstone, and contains a great many wealthy men, and has a wealthy public at its back eager to do him honor, his family are left in straitened circumstances, and his son's education at college has had to be stopped for want of money. The noble old man writes home pathetically asking what has become of the lad, and regretfully recalling the fact that when Lord Palmerston, in 1866, sent to ask him what he could do for him, he never thought of himself, and asked only "that he would open the Portuguese ports in Africa to free trade."

The "ministerial crisis" through which Turkey has just passed forms a curious phase in its history. Ali Pasha, the Vizier who died last fall, was the last of the group of Turkish statesmen of note who had, during the last twenty-five or thirty years, upheld French and English influence, and endeavored to reform the state on Western ideas. He was succeeded by Mahmoud Pasha, an ignorant Turk of the old school, who was pushed in by General Ignatieff, the Russian Minister, and began forthwith to remove all traces of European influence. He dismissed the European engineers in the service of the Government and turned the European professors out of the college at Galata, and, under pretence of economy, made a new Government calendar, in which the official year was made to consist of nine months, and by this expedient cut down the salaries of the employees by one-fourth, and began sending all possible rivals into exile in the old Turkish fashion. He also suppressed newspapers and interfered in an unprecedented way in the affairs of the Bulgarian and Armenian Churches, and encouraged all the wilder extravagances of the harem. He has now been suddenly dismissed, though nobody knows why, to the great joy of the population of the capital, Midhat Pasha, late Governor of Bagdad, and a progressive man of the European school has been put in his place, and has begun to undo all Mahmoud's doings and restore things to their old condition, recalling the engineers and professors, and permitting the reappearance of the newspapers. It is generally believed that this will prove the last attempt of the old Turkish party to regain their ascendancy, though the London *Spectator* has recently had one of those curious speculations in which it delights, on the possibility of the Sultan's raising the standard of the Prophet, preaching a holy war, calling Islam about him, and perishing on a bloody field in a last and desperate effort to save Turkey from the fatal encroachment of Western policy and ideas.

## THE VERDICT AT GENEVA.

THE result of the Geneva arbitration, no matter from what point of view we look at it, must be a source of solid satisfaction to everybody who has had a hand in bringing it about or in conducting it. In the first place, the pecuniary award is as large as any rational man in the United States has ever maintained, *in a private room*, we were fairly entitled to or had any reasonable chance of getting. The claims filed by United States citizens for losses sustained by the depredations of the *Alabama*, *Florida*, *Georgia*, and *Shenandoah* amounted in the whole to \$12,838,384. It was calculated in the State Department that the claims for losses by other vessels would bring the gross amount up to \$13,000,000. If the average date of these losses had been fixed at April, 1863, as Mr. Beaman has suggested in his history of the claims, and interest charged on the amount, it would have brought the total of damages demanded by the United States up to \$20,000,000. But it must be remembered that this estimate is based on the statements of the individual claimants themselves, and everybody who knows anything of the way in which people foot up their losses in making a claim against a government, knows what enormous deductions have to be made on account of exaggeration, or even expert figuring. If an allowance of twenty-five per cent. were made for this source of error, we feel sure no lawyer or man of business would say it was too much, and this would bring the American claims, supposing England had been held liable for the damage done by every Confederate cruiser, down to \$15,000,000, or half a million less than the sum actually awarded. We put aside, as not worth comment, the claim for "prospective earnings and freight," and also the claim for the expenses of pursuit. It was discreditable to our diplomacy ever to have made these claims. No American lawyer, we venture to assert, ever maintained, *in a private room*, that they could be made good. Prospective profits as an element of damages is unknown either to municipal or international law, and it was easy to see that it would be very difficult to separate the expense of pursuing the *Alabama* and her consorts from the other expenses of the war. Moreover, if allowed, it would enable any belligerent to saddle a neutral from whose ports a hostile cruiser escaped, with the expense of as many old tubs as he chose to keep at sea engaged in the simulacrum of a pursuit. In rejecting these two items, therefore, the Tribunal has only done what every intelligent man in the country expected it to do. We say nothing also of the claim for "the expenses of the war after Gettysburg"; that belonged from the very first to that pleasant field of fancy in which Artemus Ward and Josh Billings have won renown, and its effect as a contribution to humorous literature was heightened by Mr. Bancroft Davis's plea, that the merriment it caused and the trouble it created were due to the fact that several men of British origin commented on it unfavorably in the American press.

The Tribunal has, however, not held England liable for all the Confederate cruisers, but only for three of them. For the depredations of the *Georgia*, *Sumter*, *Nashville*, *Tallahassee*, *Chickamauga*, it has unanimously absolved her from all responsibility. As to those of the *Retribution*, it has acquitted her by a vote of three to two, but has condemned her for the *Tuscaloosa*, *Clarence*, and *Tacony*, the tenders of the *Alabama* and *Florida*. It will thus be seen that we have got as much compensation for the damage done by three of the cruisers as we could have had any reasonable expectation of having awarded us had all the claims made by us been allowed. Moreover, the fears which many persons entertained, and which we confess we ourselves shared, that the findings of the Court as to the lack of "due diligence" might create a precedent of which the United States would be the first to feel the burden and embarrassment, have been completely removed by the history of the three vessels on which the Court has based England's liability. No question is now raised by anybody anywhere as to the absence of due diligence or the practice of culpable and flagrant negligence, in the case of the *Alabama*. With regard to her, the representative of Great Britain in the Board concurred fully with his colleagues. No hard-

ship or inconvenience can ever result to any Government from being held bound to prevent what England permitted to occur with regard to the fitting-out of that ship.

The case of the *Oreto*, afterwards the *Florida*, was nearly as bad. Her destination and military outfit were notorious in Liverpool, and Mr. Adams's repeated remonstrances were insufficient to have her stopped. She was seized and libelled at Nassau, the case against her being clear as noonday, but was released, took in supplies, and started on her career of plunder. The *Shenandoah* got away from Liverpool through similar obstinate blindness and indifference on the part of Earl Russell and connivance on the part of the local authorities; took in her armament at the Madeira Islands, plundered and burnt vessels all the way round Cape Horn to Australia, and was received at Melbourne with welcome and rejoicings which it is no exaggeration to call wild. The Governor held that he was bound to treat her as a lawful belligerent vessel, allowed her to be repaired and refitted on the Government slip, and to take on board fresh supplies of coal and men and provisions, while the law officers treated the remonstrances of the American Consul with the grossest insolence. The Tribunal imposes no new or heavy burden on neutrals in deciding that what occurred at Melbourne made the English Government liable for all the damage done by the *Shenandoah* afterwards, and makes a most valuable addition to international morality by this clear definition of neutral duty:

"Whereas, the effects of a violation of neutrality, committed by means of the construction, equipment, and armament of a vessel, are not done away with by any commission which the Government of the belligerent power benefited by the violation of neutrality may afterwards grant that vessel, and the ultimate step by which the offence is completed cannot be admitted as a ground for the absolution of the offender, nor can the consummation of his fraud become the means of establishing his innocence."

The position maintained by English lawyers on this point has whatever its legal validity, been an outrage on decency and common sense, being, as the Tribunal puts it, neither more nor less than an assertion that the successful consummation of a fraud may, under certain circumstances, be made the means of establishing the innocence of the perpetrator. If any rule of international law was capable of that interpretation, the sooner it was abrogated the better.

And now, before passing away, we trust for ever, from this long and exciting controversy, it is perhaps due to those of our readers who have honored us with their confidence and forbearance, to call their attention to the fact that no doctrine the *Nation* has ever combated has received any countenance from the arbitrators, while every position it has ever maintained has been fully confirmed. We have for seven years scouted the notion that the concession of "belligerent rights" to the Confederates was of any importance in the controversy (except as a bit of evidence on the point of animus), in opposition to the popular and rhetorical view that it was the very head and front of England's offence. It has not been even mentioned before the Board. We argued that England was liable without reference to it; she has been held so to be. We insisted all along that she ought to apologize for the escape of the *Alabama*, and predicted that she would; she has done so. Finally, we derided "the indirect claims," and they have been for ever barred and extinguished amidst the laughter of the civilized world and the blushes of their authors.

## THE CANVASS.

THE *Chicago Tribune* reproaches the *Nation* for not taking notice of the fact that political assessments are being levied in the old way on office-holders, by means of circulars from political committees, and lays before the public a copy of the one addressed to the American consuls abroad, soliciting contributions, and each containing a written notice mentioning the amount the recipient is expected to give. The *Tribune* says we were once "lynx-eyed for these violations of civil-service reform rules, but are now unable to discover any, since we condescended to electioneer for a candidate whom we openly despised four months ago, and secretly despise now"—i. e., it finds fault with us for not continuing the criticisms of the course of the Administration in which we indulged six months ago.



It is perfectly true that we do not call attention to the President's shortcomings with regard to the civil service with anything like the zeal and watchfulness we displayed some time ago, and for two reasons: one is, that it would certainly do no good; and the other is, that it might do much harm. Our opinion of General Grant and his surroundings is exactly what it was a year ago; it is no better, but it is no worse. What that opinion was, most of our readers remember. For the benefit of those of them who may have forgotten it, we shall, however, take the liberty of recalling the fact that we never considered him a designing usurper, or a drunkard, or a receiver of bribes, and have never given currency to any of the charges made against him under these heads. There is, therefore, nothing wonderful in the fact that we should not now engage in the unnecessary business of discussing the various "campaign stories" of which he is personally the object. There is a sufficiently large proportion of the press engaged in it already to make it easy and natural for the *Nation* to keep out of it without exposing itself to the charge of "electioneering" for him. We must decline, therefore, to examine and inventory the contents of every barrel of campaign garbage that the various Greeley "workers" throughout the country choose to deposit at our door. But our refusal to do so is by no means an acknowledgment, either express or implied, that any of the objections we ever made to General Grant's Administration have lost their force. We do not, in saying this, however, mean to cast any reproach on those of our professional brethren who at this season pass so much of their time refuting "Grant lies" and circulating "Greeley lies," or refuting "Greeley lies" and circulating "Grant lies." As long as there is a fair probability that these "lies" will be believed, and will affect the popular vote, the business of inventing them will be carried on, and the business of refuting them will have to be undertaken by somebody. Moreover, we do not believe that we shall ever see this mode of affecting the fortunes of the Presidential canvass entirely abandoned. We have no doubt that a thorough reform of the civil service which would prevent the Government offices being treated as "spoils," would greatly reduce the number of "slanders," "lies," and "charges" for which every Presidential candidate is now the target, by greatly reducing the number of wretched adventurers who engage in the canvass as their last chance of even a seemingly honest livelihood. But, then, after everything that can be done by way of legislation to secure decency and fair play has been done, the Presidential contest will always be attended with an enormous amount of disgusting vituperation. Nothing but a change in human nature would make it a decorous contest, as long as the prize contended for is so valuable and so eagerly sought, the number of persons interested in the result so large, and the influences which shape the result so numerous and ill-defined. Every vote tells; and when the voters are numbered by millions, and are of all grades of character and intelligence, the temptation to fill the air with charges, in the hope that, however wild or absurd, some one of them will annoy somebody, will be irresistible.

In short, the probabilities are that as the country grows in population the Presidential canvass will become warmer and more bitter, and the ordeal of accepting a nomination harder to face. Anybody who accepts a nomination will have to be either a man of the loftiest philosophy or the coarsest fibre, and, what is worse and hardest to bear, will have to expose his family to trials such as have never before, in time of peace and in civilized countries, befallen women and children. The pursuit of Miss Grant through Europe by the reporters of the opposition press, disgraceful as it has been, gives but a faint idea of what ladies will have to go through hereafter whose fathers or husbands muster the courage to become candidates for the Presidency. The election of a ruler like the President once every four years by the popular vote is, it must be remembered, something absolutely novel. Such places as his have never until our time been acquired by anything but force or inheritance. Its peaceful transmission from hand to hand under universal suffrage is, therefore, even if attended by the tumult and folly and

vituperation which we are now witnessing, an immense gain for civilization. It may help to save us from too great despondency as to the future, too, to remember that a comparatively small body of men have it in their power greatly to improve the manners of the Presidential canvass. Half a dozen editors, it is safe to say, could, by the exercise of a little restraint, by honestly trying how much decency the American people would tolerate, make a marked change for the better in the mode of conducting campaigns. The performances of the press on the present occasion certainly do not make the prospect seem very hopeful, for we doubt if it was ever more foul-mouthed and unscrupulous; but, then, its excesses now are, we believe, due to exceptional causes, for the disappearance of which we may reasonably hope.

If we are asked, however, why, even if we let the ordinary "campaign stories" alone, we do not continue to expose the abuses of the civil service, our reply is, that exposures of abuses of the civil service would at this juncture attract no attention. People take it for granted that the office-holders are "working" for the Administration, and are too much interested in the result of the election to care much about the means by which it is brought about. The time to reform the civil service is not during the canvass, but after it, when the country is quiet and the public sober and reasonable. Moreover, railing at Grant about the civil service during the canvass would, to ninety-nine persons out of a hundred, wear the appearance of "working" for Greeley, and "working" for Greeley on civil-service grounds, we honestly confess, seems to us the height of absurdity, and we honestly believe would seem to others the height of hypocrisy and humbug. The day on which the Cincinnati Convention nominated a wire-pulling, political partisan bred in the corruptions and abuses of the civil service, and as fond of them as anybody, and presented him to the world as a "reform candidate," and on which the *Chicago Tribune*, the *Springfield Republican*, the *Cincinnati Commercial*, and other papers of similar antecedents, began to laud Greeley as a fair representative of the ideas and aspirations which led to that Convention, all denunciation of the shortcomings of the Administration for civil-service abuses became, for some honest men at least, either impossible or inexpedient. It requires, to our mind, a good deal of brass—more, certainly, than we happen to be possessed of—to go before the public and criticise General Grant for not appointing all officers for merit, and for not retaining them during good behavior, at a moment when the effect of these criticisms, if they had any effect at all, would be to place Horace Greeley in the White House, surrounded by such political "brothers" as now do his stumping and as figured at his meeting in this city the other night, and are "helping him to raise his house." Whenever the time comes that we can ask our readers to oppose Grant, or anybody like him, because they can put a better man in his place, we shall joyfully do it. But as long as circumstances practically restrict the choice of the public to him and Greeley, we shall do whatever we can do, consistent with honesty and self-respect, to save the country from Greeley and his followers. If it be "electioneering" to be silent about the President's faults, when speaking would cause a worse thing than he to come upon us, then we are certainly "electioneering" for Grant; but, then, we understand the duty of a journalist to be not treatise-writing, or general disquisition, but discussion with a view to some practical result. When we talk about civil-service reform, it ought to be with a view to reform; to talk about it with the view of having Greeley put at the head of the civil service, or with the certainty that our talking about it would help to put him there, though in never so small a degree, would be a piece of self-stultification to which we may come eventually, but it is still a long way off.

#### A FRENCH WATERING-PLACE.

DIEPPE, August 29, 1872.

**E**ITHER there must be taking place a slow change in the climate of Paris, which makes the city less supportable to inhabit during the summer months, or a considerable increase in the general wealth of the country, or both reasons may combine; but it is quite certain that the French capital is

now more deserted in July and August than it was twenty or even ten years ago. In those times there was a class of regular Parisians who hardly ever left Paris, and pronounced it to be the only habitable place in the world, even during the dog-days; but now, whoever can do so leaves the capital; the city empties itself as rapidly as London when the season is over. There are long streets, with the shutters of the windows shut, which look quite as forlorn as the great squares of the West End. The theatres are still open, at least some of them, but all the *stars* are gone, and the houses are full of foreigners and travellers. Where does the Parisian go during his absence? I mean by the Parisian the inhabitant of the capital who has no country-place of his own, no chateau, no distant estate where he could find a refuge. This Parisian proper who makes a sacrifice to fashion in abandoning for a while his beloved city, is very *routinier*; there are but few places which he condescends to patronize. Baden-Baden used to be one; during the summer months this pretty watering-place, or rather gambling-place, buried in one of the valleys of the Black Forest, was for a while converted into a little Paris. Hardly any other language but French was heard on the terrace before the *conversation*; the German officers, with their long swords dragging at their heels, seemed to be there on sufferance. The Russian princes and princesses had their tree, round which they sat all day, speaking French all the time. The Emperor of Germany, when he came to Baden-Baden, made polite compliments to the actors and actresses of the Théâtre Français, who played their *répertoire* in a miniature theatre. All was French; the German element was only represented by the waiters at the hotels. Alas! the times of this limited conquest of Baden are gone; no Frenchman would now willingly cross Lorraine and Alsace, conquered by the Germans, see the valleys of the Vosges, the spire of the Strasbourg Cathedral, and the Rhine. Baden is lost for the Parisian.

If he goes to Switzerland he will seldom be found among those enterprising travellers who penetrate the remotest valleys, cross the glaciers and the highest *passes*. He is not muscular; he considers the ascent of the Righi as an effort, and will use the railway which now brings travellers to the top of this famous mountain. When he has seen the bears of Berne, heard the organ of Fribourg, fed the ducks of Geneva from the old wooden bridge, seen the chapel of William Tell on the shore of the Lake of Lucerne, he thinks he has *done* Switzerland. He likes to stop at Interlaken, and makes this little place his headquarters, where he can have a peep at the Jungfrau, and can see the parties of Alpine Club Englishmen starting on their great expeditions. How much wiser is he!

"Suave, mari magno turbantibus æquora ventis," etc.

He is the wise man of Lucretius; he is contented with the vision of the almost inaccessible peaks, and with the inspection of the extraordinary gentlemen (whom he secretly considers as insane) who will attempt to climb these peaks at the risk of their lives. Our true Parisian ought not, however, to be confounded with the bourgeois type depicted in a charming vaudeville called "*Le Voyage de M. Perrichon*." M. Perrichon has taken an excursion ticket, and he is travelling with his family. Whenever he arrives before something grand, be it a mountain or a cathedral, he thinks he ought to be much moved and give utterance to some grand sentiment. He always attempts to do so before his admiring family, but he invariably fails.

Our true Parisian is very narrow-minded, but he is no fool, and he has an easy way of never being ridiculous: he ridicules everything and even himself. He has a habit of speaking slightly of the biggest mountains; he would not hesitate to call any great traveller, Livingstone included, a bore. He has a great deal in common with that Greek who was tired of hearing Aristides called the Just. His indifference to the habits, the manners, the ideas of foreign countries is one of his great defects. He has no curiosity and no sympathy. His mind, if I might say so, is dried up; it is wonderfully supple and elastic, but it has lost the power of growing, of assimilation. I attribute this narrowness chiefly to the theatre. From the earliest days of infancy, the Parisian mind has become familiar with all possible scenes, nationalities, epochs, races, characters, all represented in a very imperfect but very striking manner. Every country has been typified in the theatre. The Parisian prefers what I may call theatrical truth to the truth of nature. He has seen eruptions of Vesuvius, Fingal's Caves, catacombs, mountain ranges; he has seen shipwrecks, inundations, etc. The opera, his microcosm, has spoiled the macrocosm for him. The true Tyrolean will never be to him at forty, when he is worn and tired and no longer ardent, what the Tyrolean of the opera was to him at twenty, when his young soul was still receptive. What old cloister in Italy can compete with the cloister of Robert le Diable, illuminated by the rays of an artificial moon and made alive by the ballet-girls—the nuns emerged from their tombs? I remember the exclamation of a young painter who was travelling with me when we arrived in front of a mill on a torrent in a lonely valley, on a dark, rainy day.

He stopped a moment, and said, "Why! this is a Ruydaël!" Such is the Parisian; his artificial sensations have been so many, and so intense, that nature finds him rather insensible. She evokes in him memories, old forgotten sensations. He becomes a critic, and loses the faculty of forgetting himself; he is like the spectator of a drama who is always conscious that the drama is a fiction. He hardly believes in the reality of nature; like many readers of novels, he skips over all the descriptive portions.

In France there are many watering-places where invalids are sent, but there is no place like Baden-Baden, nor even Interlaken. Our Parisian makes no elaborate excursions in France, though there is, perhaps, no country in Europe, after Italy, which better deserves a close inspection. He takes a railway ticket, and, without stopping, goes right to the coast of Normandy or Brittany. There he can find a hundred little ports or villages; sometimes he goes to one and sometimes to another. He is really fond of the sea, of the monotonous sea. He dares not sneer at it, and, besides, our modern Parisian, though he has not been educated in the principles of muscular Christianity, excels in two sports: he is generally a very good fencer, spending an hour or two twice a week at the *salle d'armes*, and a very good swimmer. The Seine affords him from infancy the opportunity to learn the art of swimming. During the summer months you may see, all along the river, large establishments devoted to it; under the eye of experienced professionals a number of men are engaged from morning to night in aquatic sports of all descriptions. They jump, and dive, and play all sorts of capers. One of these establishments, the most fashionable, is next to the Pont de la Concorde; there you can see the most famous lawyers, the gravest statesmen, mixed up with priests, actors, literary men, walking about around the great rectangle devoted to swimming, in long *peignoirs*, looking like the Peripatetics of old, but discussing only the various modes of holding your head above the water. The French are not constantly boasting of their muscular accomplishments, but I think that the best swimmers I have ever seen have been Parisians, educated at the Deligny baths. Our Parisian at the seashore leads a very lazy life. I have been staying for some time at one of the most fashionable seaports, Dieppe. There are various hotels on the *plage*, but the Parisian, married or not married, generally prefers to hire an apartment for the season. He does not much like hotel-life. The population of Dieppe has provided lodgings for a vast number of people, rich and poor.

The first thing I did on my arrival was to buy a book now very rare, as it is out of print, the "*History of Dieppe*," by M. Vitet, a member of the French Academy. I had never read it, and it is quite a masterpiece in its way. Nothing can be more interesting in a historical and in an artistic point of view. For Dieppe, now fallen from its ancient grandeur, was quite an important town when ships were not so big as they are now, and when its port, only open to vessels of 400 tons, was thought deep enough. It was one of the strongholds of the Huguenots. Its glorious old castle still frowns on the top of a cliff, like Dover Castle; its old churches, though shattered by the bombardment of the English, are still curious specimens of Middle-Age piety; the Battle of Arques was fought in its neighborhood by Henri IV. You can hardly take a walk without falling on some curious spot. I visited a few days ago an immense farm, which was once the castle of a merchant-prince who employed the best sculptors of the Renaissance; a room where I admired the remains of an old chimney which would adorn even Fontainebleau, was full of rape seed; heavy carts were kept under the most charming arcades, covered with delicate chisellings. Dieppe was once famous for its ivory carvings; but the traditions of this art are lost, and in the various ivory shops of the town you can now find only useful articles, which are pretty enough, but which have no artistic character. I would give an old yellowish Christ sculptured three hundred years ago at Dieppe for all the contents of the modern shops. But these old relics are not to be found here; it is only in Paris that occasionally you may fall upon a piece of *vieux Dieppe*.

A huge Casino, built of cast-iron, is the paradise of the beach, and the Parisian spends there the whole day. He finds a reading-room where he can glance over all the newspapers and reviews; he takes his bath, and, when he has done so, he looks for hours on other people who take their baths. There are always sails on the horizon, fishermen's boats, English steamers coming in or going out; every afternoon all the ladies are sitting on the terrace holding their little courts in the most elegant dresses. The music begins at three and never ends till six; the huge sea adds its *basso profundo*, or what Rameau would have called its *basse fondamentale*, to the melodies of the orchestra. After dinner, everybody returns to the Casino, the ladies, of course, in new costumes; the gentlemen don't even take the pains to dress for dinner or for the evening. More music; sometimes a children's ball, which invariably ends towards ten in a ball of overgrown children of twenty. Sometimes the Casino is turned into a theatre, and the actors of Havre come and play some forgotten *opéra comique*, which people



only half listen to. At ten the gas is extinguished; only a few poetical gentlemen keep gazing on the black sea and the distant light-house.

Nothing could be more quiet, more monotonous than this life. Conversing, chattering on the beach is the only amusement, after the all-important amusement of bathing. There is no show of horses, of carriages; rich and poor lead almost the same life. The dresses are of the prettiest, but of the coarsest materials. The fashionable gown for the ladies is now what is called the workingmen's blouse; it is made of the same blue cotton stuff which makes the blouse the classic dress of every French peasant or *ouvrier*. Truth obliges me to confess that these democratic blue dresses are sometimes adorned with the handsomest lace or old *guipure*; but we must not be too severe nor too austere. On the whole, what I have seen here, in a very fashionable watering-place, is very creditable to the country. There is no affectation of wealth, no vulgar show of opulence, nor any apparent immorality of any sort.

#### A EUROPEAN SUMMER.

##### V. SWISS NOTES.

WITH Geneva for its metropolis, Switzerland may fairly pretend to possess something more than nature in the rough. A Swiss novelist of incomparable talent has indeed written a tale expressly to prove that frank nature is woefully out of favor there, and his heroine dies of a broken heart because her spontaneity passes for impropriety. I don't know whether M. Cherbuliez's novel is as veracious as it is clever; but the susceptible stranger certainly feels that the Swiss metropolis is a highly artificial compound. It makes little difference that the individuality of the place is a moral rather than an architectural one; for the streets and houses express it as clearly as if it were syllabled in their stones. The moral tone of Geneva, as I imagine it, is epigrammatically, but on the whole justly, indicated by a fact recently related to me by a discriminating friend—that meeting one day in the street a placard of the theatre, superscribed *Bouffes-Génois*, he burst into irrepressible laughter. To appreciate the irony of the phrase, one must have lived long enough in Geneva to suffer from the want of humor in the local atmosphere, and the absence as well of that æsthetic history which belongs to a generous view of life. There is no Genevese architecture, nor museum, nor theatre, nor music, not even a worthy *promenade*—all prime requisites of a well-appointed foreign capital; and yet somehow Geneva manages to assert herself powerfully without them, and to leave the impression of a strongly-featured little city, which, if you don't enjoy, you may at least grudgingly respect. It was, perhaps, the absence of these frivolous attributes which caused it to be thought a proper place for the settlement of our solemn wrangle with England—though surely a community which could make a joke would have afforded worthier spectators to certain phases of the affair. But there is such a thing, after all, as drawing too sober-colored a picture of the Presbyterian mother-city, and I suddenly find myself wondering whether, if it were not the most respectable of capitals, it would not still be the prettiest; whether its main interest is not, possibly, the picturesque one—the admirable contrast of the dark, homely-featured mass of the town—relieved now, indeed, at the water's edge by a shining rim of white-walled hotels—and the incomparable vivacity of color of the blue lake and Rhone. This divinely cool-hued gush of the Rhone beneath the two elder bridges, is one of the loveliest things in Switzerland, and ought itself to make the fortune of unnumbered generations of inn-keepers. As you linger and watch the shining tide, you make a rather vain effort to connect it with the two great human figures in the Genevese picture—Calvin and Rousseau. It seems to have no great affinity with either genius—one of which it might have brightened and the other have cleansed. There is indeed in Rousseau a sort of current-like volume of style which, if we choose, we may fancy an influence from the rushing stream he must so often have tarried in his boyish breeches to peep at between the bridge-rails; but I doubt that we can twist the Rhone into a channel for even the most diluted Calvinism. It must have seemed to the grim Doctor as one of the streams of the paradise he was making it so hard to enter. For ourselves, as it hurries undarkened past the gray theological city, we may liken it to the impetus of faith shooting in deep indifference past the doctrine of election. The genius that contains the clearest strain of this profane Geneva blue is decidedly that of Byron. He has versified the lake in the finest Byronic manner, and I have seen its color, of a bright day, as beautiful, as unreal, as romantic as the most classical passages of "Childe Harold." Its shores have not yet lost the echo of three other eminent names—those of Voltaire, of Gibbon, and of Madame de Staël. These great writers, however, were all such sturdy non-conductors of the modern tendency of landscape to make its way into literature, that the tourist hardly feels himself indebted to their works for a deeper relish of the lake—though, indeed, they

have bequeathed him the opportunity for a charming threefold pilgrimage. About Ferney and Coppet I might say a dozen things which the want of space forbids. As for the author of that great chronicle which never is but always to be read, you may take your coffee of a morning in the little garden in which he wrote *finis* to his immortal work—and if the coffee is good enough to administer a fillip to your fancy, perhaps you may yet hear the faint reverberation among the trees of the long, long breath with which he must have laid down his pen. It is, to my taste, quite the reverse of a profanation to commemorate a classic site by a good inn, and the excellent Hôtel Gibbon at Lausanne, ministering to that larger perception which is almost identical with the aftertaste of a good *cuisine*, may fairly pretend to propagate the exemplary force of a great human effort. There is a charming Hôtel Byron at Villeneuve, the eastern end of the lake, of which I have retained a kindlier memory than of any of my Swiss resting-places. It has about it a kind of mellow gentility which is equally rare and delightful, and which perhaps rests partly on the fact that—owing, I suppose, to the absence just thereabouts of what is technically termed a "feature"—it is generally just thinly enough populated to make you wonder how it can pay, and whether the landlord isn't possibly entertaining you at a sacrifice. It has none of that look of heated prosperity which has come of late years to intermingle so sordid an element with the pure grandeur of Swiss scenery.

The crowd in Switzerland demands a chapter by itself, and when I pause in the anxious struggle for bed and board to take its prodigious measure—and, in especial, to comprehend its huge main factor, the terrible German element—mountains and men seem to resolve themselves into a single monstrous mass, darkening the clear heaven of rest and leisure. Crossing lately the lovely Scheideck pass, from Grindelwald to Meyringen, I needed to remember well that this is the great thoroughfare of Swiss travel, and that I might elsewhere find some lurking fragment of landscape without figures—or with fewer—not to be dismayed by its really grotesque appearance. It is hardly an exaggeration to say that the road was black with wayfarers. They darkened the slopes like the serried pine-forests, they dotted the crags and fretted the sky-line like far-browsing goats, and their great collective hum rose up to heaven like the uproar of a dozen torrents. More recently, I strolled down from Andermatt on the St. Gothard to look at that masterpiece of sternly romantic landscape, the Devil's Bridge. Huge walls of black granite enclose the scene, the road spans a tremendous yellow cataract which flings an icy mist all abroad, and a savage melancholy, in fine, marks the spot for her own. But half a dozen carriages, jingling cheerily up the ascent, had done their best to dispossess her. The parapet of the bridge was adorned with as many gazers as that of the Pont Neuf when one of its classic anglers has proclaimed a bite, and I was obliged to confess that I had missed the full force of a sensation. If the reader's sympathies are touched by my discomfiture, I may remind him that though, as a fastidious few, we laugh at Mr. Cook, the great *entrepreneur* of travel, with his *coupons* and his caravans of "personally-conducted" sight-seers, we have all pretty well come to belong to his party in one way or another. We complain of a hackneyed and cocknified Europe, but wherever, in desperate quest of the untrodden, we carry our much-labelled luggage, our bad French, our need for a sitz-bath and pale ale, we rub off the precious primal bloom of the picturesque and establish a precedent for unlimited intrusion. I have even fancied that it is a sadly ineffectual pride that prevents us from buying one of Mr. Cook's little bundles of tickets, and saving our percentage, whatever it is, of money and trouble, for I am sure that the poor bewildered and superannuated genius of the old Grand Tour, as it was taken forty years ago, wherever she may have buried her classic head, beyond hearing of the eternal telegraphic click bespeaking "rooms" on mountain tops, confounds us all alike in one sweeping reprobation.

I might, perhaps, have purchased exemption from her curse by idling the summer away in the garden of the Hôtel Byron, or by contenting myself with such wanderings as you may enjoy on the neighboring hillsides. The great beauty of detail in this region seems to me to have been insufficiently noted. People come hither, indeed, in swarms, but they talk more of places that are not half as lovely, and when, returning from a walk over the slopes above Montreux, I have ventured to hint at a few of the fine things I have seen, I have been treated as if I were jealous, forsooth, of a projected tour to Chamouni. These slopes climb the great hills in almost park-like stretches of verdure, studded with generous trees, among which the walnut abounds, and into which, as you look down, the lake seems to fling up a blue reflection which, by contrast, turns their green leaves to yellow. Here you may wander through wood and dell, by stream and meadow—streams that narrow as they wind ever upward, and meadows often so steep that the mowers, as they swing their scythes over them, remind you of insects on a wall brandishing long *antennæ*—and range through every possible phase of sweet sub-Alpine scenery. Nowhere, I imagine, can you

better taste the charm, as distinguished from the grandeur, of Swiss landscape; and as in Switzerland the grandeur and the charm are constantly interfused and harmonized, you have only to ramble far enough and high enough to get a hint of real mountain sternness—to overtake the topmost edge of the woods and emerge upon the cool, sunny places where the stillness is broken only by cattle-bells and the splash of streams, and the snow-patches, in the darker nooks, linger till midsummer. If this doesn't satisfy you, you may do a little mild mountaineering by climbing the Rochers de Noye or the Dent de Jaman—a miniature Matterhorn. But the most profitable paths, to my taste, are certain broad-flagged, grass-grown footways, which lead you through densely-fruited orchards to villages of a charming quaintness, nestling often in so close a verdure that from the road by the lake you hardly suspect them. The picturesqueness of Vandois village life ought surely to have produced more sketchers and lyrists. The bit of country between Montreux and Vevay, though disfigured with an ugly fringe of vineyards near the lake, is a perfect nest of these compact little hamlets. The houses are, for the most part, a delightfully irregular combination of the chalet and the rustic *maison bourgeoise*; and—with their rugged stony foundations, pierced with a dusky stable-arch and topped with a random superstructure of balconies, outer stairways, and gables, weather-browned beams and sun-cracked stucco, their steep red roofs with knob-crowned turrets, their little cobble-paved courts, with the great stone fountain and its eternal splash—they are at once so fantastically pleasant and yet so sturdily well-conditioned, that their aspect seems a sort of influence from the blue glitter of the lake as it plays through the trees with genial *inverisemblance*. The little village of Veytaux, above Chillon, where it lurks unperceived among its foliage, is an admirable bit of this Vandois picturesqueness. The little grassy main street of the village enters and passes bodily through a house—converting it into a vast dim, creaking, homely archway—with an audacity, a frank self-abandonment to local color, which is one of the finest strokes of the sort I ever encountered. And yet three English sisters whom I used to meet thereabouts had preferred one morning to station themselves at the parapet of the road by the lake, and, spreading their sketch-books there, to expend their precious little tablets of Windsor & Newton on those too, too familiar walls and towers where Byron's Bonivard languished. Even as I passed, the railway train whizzed by beneath their noses, and the *genius loci* seemed to flee howling in the shriek of its signal. Temple Bar itself witnesses a scarcely busier coming and going than, in these days, those hoary portals of Chillon. My own imagination, on experiment, proved too poor an alchemist, and such enjoyment as I got of the castle was mainly my distant daily view of it from the garden of the Hôtel Byron—a little, many-pinnacled, white promontory, shining against the blue lake. When I went, "Bildeler" in hand, to "do" the place, I found a huge concourse of visitors awaiting the reflux of an earlier wave. "Let us at least wait till there is no one else," I said to my companion. She smiled in compassion of my naïveté. "There is never no one else," she answered. "We must treat it as a crush or leave it alone."

Any truly graceful picturesqueness here is the more carefully to be noted that the graceful in Switzerland—especially in the German cantons—is a very rare commodity, and that everything that is not rigorously a mountain or a valley is distinctly tainted with ugliness. The Swiss have apparently an insensibility to comeliness or purity of form—a partiality to the clumsy, coarse, and prosaic which one might almost interpret as a calculated offset to their great treasure of natural beauty, or at least as an instinctive protest of the national genius for frugality. Monte Rosa and the Jungfrau fill their pockets; why should they give double measure when single will serve? Even so solidly picturesque a town as Berne—a town full of massive Teutonic quaintness and sturdy individuality of feature—nowhere by a single happy accident of architecture even grazes the line of beauty. The place is so full of entertaining detail that the fancy warms to it, and you good-naturedly pronounce it charming. But when the sense of novelty subsides, and you notice the prosaic *searp* of its arcades, the wanton angularity of its grotesque, umbrella-shaped roofs, the general plebeian stride and straddle of its architecture, you half take back your kindness, and declare that nature in Switzerland might surely afford to be a trifle less jealous of art. But wherever the German tone of things prevails, a certain rich and delectable homeliness goes with it, and I have of Berne this pleasant recollection: the vision of a long main street, looking dark, somehow, in spite of its breadth, and bordered with houses supported on deep arcades, whereof the short, thick pillars resemble queerly a succession of bandy legs, and overshadowed by high-piled pagoda roofs. The dusky arcades are lined with duskier shops and bustling with traffic; the windows of the houses are open, and filled with charming flowers. They are invariably adorned, furthermore, with a bright red window cushion, which in its turn sustains a fair Bernese—a Bernese fair enough, at least, to complete the not especially delicate harmony

of the turkey-red cushion and the vividly-blooming plants. These deep color-spots, scattered along the gray stretch of the houses, help to make the scene a picture; yet if it remains, somehow, at once so pleasant and so plain, you may almost find the explanation in the row of ancient fountains along the middle of the street—the peculiar glory of Berne—each a great stone basin with a pillar rising from the centre and supporting a sculptured figure, more or less heraldic and legendary. This richly-wrought chain of fountains is a precious civic possession, and has an admirably picturesque effect; but each of the images which presides at these sounding springs—sources of sylvan music in the ancient street—appears, when you examine it, a monster of awkwardness and ugliness.

I ought to add that I write these lines in a place so charming that it seems pure perversity to remember here anything but the perfect beauty of Switzerland. From my window I look straight through the gray-blue portals of the Via Mala. Gray-blue they are with an element of melancholy red—like the rust on an ancient sword; and they rise in magnificent rocky crags on either side of this old-time evil way, in which the waning afternoon is deepening the shadows against a splendid background of sheer gray rock, muffled here and there in clinging acres of pine-forest. The carriage road winds into it with an air of solemnity which suggests some almost metaphysical simile—the advance of a simple, credulous reader, say, into some darksome romance. If you think me fantastic, come and feel the influence of this lovely little town of Thusis. I may well be fantastic, however, for I have fresh in my memory a journey in which the fancy finds as good an account as in any you may treat it to in Switzerland: a long two-days' drive through the western Grisons and the beautiful valley of the Vorder-Rhein. The scenery is perhaps less characteristically Swiss than that of many other regions, but it can hardly fail to deepen your admiration for a country which is able so liberally to overheap the measure of great impressions. It is a landscape rather of ruin-crowned cliff and crag than of more or less virginal snow peaks, but in its own gentler fashion it is as vast and bold and free as the Oberland. Coming down from the Oberalp which divides this valley from that of the St. Gothard, we entered a wondrous vista of graduated blue distances, along which the interlapping mountain spurs grew to seem like the pillars—if one can imagine reclining pillars—of a mighty avenue. The landscape was more than picturesque, it was consummately pictorial. I fancied that I had never seen in nature such a wealth of blue, deep and rich in the near distance and splendidly contrasted with the slopes of ripening grain, blocked out without hedge or fence in yellow parallelograms, and playing thence through every shade of color, dimmed by remoteness but not by mist. Foreground and distance here have alike a strong historic tinge. The little towns which yet subsist as almost formless agglomerations of rugged stone, were members of the great Gray League of resistance to the baronial brigands whose crumbling towers and keeps still make the mountain-sides romantic. These little towns, Ilanz in especial, and Dissentis, overtopped by the great plank façade of its useless monastery, are hardly more than rather putrid masses of mouldy masonry; but with their desolate air of having been and ceased to be, their rugged solidity of structure, their low black archways surmounted with stiffly hewn armorial shields, their lingering treasures in window-screen and gate of fantastically wrought iron, they are among the things which make the sentimental tourist lean forth eagerly from his carriage.

## Correspondence.

"DIFFERENT TO."

TO THE EDITOR OF THE NATION:

SIR: I am a reasonably good boy, I believe, but I do not always read my *Nation*, and thus it happened that I did not see "Carl Benson's" enquiry as to when and with whom what he calls the singular neologism "different to" originated, until I met with it in Mr. Fitzedward Hall's interesting communication in your columns last week. Mr. Hall has shown that the phrase was used about a hundred and fifty years ago. But it is a neologism in so far as, I believe, it was used customarily by no great writer of either the Elizabethan or the Queen Anne period. But that its use by Thackeray in 1850 should be deemed early, surprised me, as in my first literary venture, "Shakespeare's Scholar," published in 1854, but written in 1852, I had discussed the phrase (p. 305) adversely, and the discussion, which I believe was the first of this subject, had attracted some attention in England, with a general conclusion against its use, and, what was very strange, a denial in some quarters that it was in vogue there. Indeed, the late distinguished Shakespearean critic, Mr. William Lettsom, so often quoted in Mr. Dyce's last



edition of Shakespeare, wrote on the margin of a copy of "Shakespeare's Scholar," annotated by him and which came into my possession after his death, that he had never heard this phrase; and the late Earl of Ellesmere, then President of the Shakespeare Society, in a letter to me expressed great satisfaction at the condemnation of such an absurd and vulgar usage. And yet, according to my observation, Mr. Hall is quite right in his assertion as to its general use at the present day by the best bred and most cultivated speakers and writers in England. Indeed, it might almost be safely adopted as a shibboleth of distinction between British-English and American-English. I have noticed "different from" in the speech and the writing of only the younger generation of Englishmen, and those who to travel had united some loving study of the great Elizabethan writers. But although the weight of reason and eminent usage are on the side of "different from," I should be inclined to modify my original sweeping condemnation of the British phrase, on the ground that in "different to" and "adverse to," *to* has somewhat the sense of *towards*, and implies relation, comparison. Compared to that, this is different; in relation to that, I am averse. Let me add to Mr. Hall's examples for use in his forthcoming book, which cannot fail to be an interesting one, the following singular use, by a distinguished dramatist of the beginning of the last century, of "different from" and "different to" in two "contagious" lines:

"Aurelia—Sir, you appear very different to me from what you were lately.

Truclove—Madam, you appear very indifferent to me to what you were lately."—*Farquhar's "Twin Rivals,"* iii. 3, p. 42, Ed. 1703.

It may have been by mere chance, but Farquhar made the lady say *from* and the gentleman *to*, which is contrary to Mr. Hall's observation of present British usage, as well as contrary to my own.

Your obedient servant,

RICHARD GRANT WHITE.

NEW YORK, Sept. 9, 1872.

#### THE END OF CRIMINAL JUSTICE.

TO THE EDITOR OF THE NATION:

SIR: In the *Nation* of August 22 (No. 373) there is an article entitled "The Civil Service and the Jails," containing views from which the writer would respectfully, yet most earnestly, dissent. In order that the reader may better understand me, I will give a literal quotation of a few sentences occurring in said article.

The *Nation*, after referring to the humane designs of Dr. Harris respecting the reformation of criminals in the New York State Prison, continues as follows:

"We must, however, at the same time protest against the tendency which showed itself at the London conference, as it shows itself on all such occasions, and which the humanitarian view of crime, viz., that it is a disease simply, not unnaturally fosters—the tendency to treat the reformation of the criminal as the great end of criminal justice. With all due respect to penologists, this is not the great end of criminal justice. A criminal is seized and shut up, not for his own good, either primarily or secondarily, *but for the good of society*. We restrain him of his liberty not that we may improve him, but that *honest men may live in peace and security*. . . . The only good reasons we can give a thief for carrying him off to jail are two in number—first, that we may prevent him from stealing for a greater or less period; and, secondly, that we may so associate stealing in his mind and in that of spectators with disagreeable consequences, that they may dread to steal hereafter. In other words, in all our dealings with thieves the security of the honest and industrious ought to be our first and great concern."

The italics in the above quotation, which are my own, may serve to mark the passages which embody, in the strongest form, the sentiments to which exception is taken.

I have no sympathy with that "humanitarian view of crime" which would lead us to regard thieves and murderers as a set of hospital patients, instead of felons. I agree most heartily with the *Nation*, that the good of the criminal is not the great end of punishment, since punishment, properly so-called, is *evil inflicted upon the guilty in satisfaction of justice*. But evil inflicted for the good of the sufferer is not, in any proper sense, punishment; it is *chastisement*, which all understand to be quite a different thing. The chosen people of Israel were sorely chastised of their loving Father, when he allowed them to "work in brick and mortar" under the Egyptian taskmasters; but the wicked inhabitants of Sodom and Gomorrah were awfully punished by a sin-hating God, when they were utterly overthrown, "suffering the vengeance of eternal fire." The theory of the humanitarians, which the *Nation* refutes, is certainly a false and dangerous one for any people to adopt; but I would, with becoming modesty, ask the *Nation* whether the theory it presents is very much better? I fear it is not.

The *Nation*, as I understand it, distinctly avows that the *welfare of*

society is the grand design of punishment; and that the *only* reasons we may give a criminal for inflicting upon him the penalty of a broken law are two in number—first, that we may prevent his stealing for a time; and, secondly, that spectators may be reminded of the intimate connection between violating law and lying in jail. This is plain language, and is, if I mistake not, utilitarianism pure and simple. It is an old theory, and one which has generally found great favor with the lawyers. It was first introduced into the church, in the seventeenth century, by Grotius, the jurist and theologian, in connection with the great Christian doctrine of the atonement. It is best known among theologians as the governmental theory. According to one of the ablest of living writers, "it proceeds upon the assumption that all virtue consists in benevolence, which again rests upon the assumption that happiness is the highest good; which makes expediency the ground of moral obligation and the rule of moral conduct."

That the reformation of the criminal and the welfare of society at large may, in many cases, be incidental and secondary benefits of the infliction of punishment, I am free to admit; but that either or both of them can, in any case, be the great primary end of punishment, I am constrained to deny. The grand design of all punishment—the one which, in dignity and importance, towers infinitely above all others—is the *vindication of violated law*—the *satisfaction of justice*—the teaching of all men that crime is *deserving of punishment*, and held in utter abhorrence by God and all good men. Deny this fundamental truth, and then we have no other ground of moral obligation or rule of moral conduct than simple expediency. "It is indeed a solecism," says the writer quoted above, "to use the word *moral* in such connections, for, on this utilitarian theory, the word has no meaning. A thing may be wise or unwise, expedient or inexpedient, but in no sense *right* or *wrong*. Wrong becomes right and right becomes wrong as the greater amount of happiness flows from the one or the other." According to this view, which so unduly exalts the welfare of society, there would be no need or propriety in hanging the vilest wretch that ever murdered his fellow-man if it could be made to appear that society would not be benefited by his suffering death—yea, more, it would even justify us in visiting heavy penalties upon an innocent child for the crimes done by its father, provided such a course would prove more effectual in preventing crime than would the suffering of the guilty.

When we tell men that the criminal is punished simply out of respect to the interests of the law-abiding portion of the community, we thereby detract immeasurably from the good effect which punishment is intended to have. If the *ill-desert* of the guilty be made less prominent as a reason for visiting the vengeance of the law upon his head than the good of the innocent, we rob punishment of its legitimate moral effect. "The only moral effect which punishment can have is based on the assumption that it is suffered *because of ill-desert* and *not* for the good of others." I maintain that he who suffers solely or chiefly for the good of others is no felon, but a *martyr*, and we are without the shadow of a right to hang such a person. If it cannot be said, first of all, that *justice*—exact, immutable *justice*—demands his death, we dare not touch him, no matter how much real benefit his death might bring to society. And if it be so that justice *does* demand his death, we have not the shadow of a right to decline executing the law's just sentence, no matter if it could be demonstrated that no possible benefits could ever accrue to society by reason of his suffering. This view of the case proceeds upon the theory that the grand primary end of government is *not* the happiness, but the *holiness*, of the creature—that we are bound to have uppermost in our thoughts uprightness of character in the subject rather than his comfort in the administration of civil government. In so far as civil governments recognize this great principle by imposing right laws and distributing, impartially, just rewards and punishments, just that far do they subserve the ends of their creation by holding up before the eyes of men an ever-present spectacle calculated to teach them (1) that God is *holy*, abhorring crime, and (2) that he is *just*, by no means clearing the guilty.

The great objection to this utilitarian theory is that it flatly contradicts our *intuitive moral judgments*. If I wantonly murder my brother, the testimony of my own conscience will inevitably be that I *deserve* to suffer, not for the good of society, but because I am *guilty*. And this would be true were I the only man left living upon earth. I dare say, also, that the editor of the *Nation*, if standing by at the time I did the murder, would find his own sense of right and wrong testifying with my conscience that *death was my due*, no matter what might be the effect of my punishment upon society. And he might analyze his consciousness in vain to see if his natural sentiment of justice, in view of my wicked act, could be resolved into a conviction of his understanding that the best interests of society demanded my punishment. With all due respect, therefore, for the *Nation*, I would say the good of society is *not* the great end of punishment; and that the best possible reason we can give to the dying felon on the gallows or to the

spectators for his being executed, is that, having deliberately violated law, he deserves to pay the penalty. This reason comports with the instinctive judgment of every sound mind, and represents the criminal, not as a martyr for others, but what, in truth, he is—a guilty wretch whose life must be taken in satisfaction of justice.—Very respectfully,

N. M. W.

HAMPDEN SIDNEY, VA., Sept., 1872.

[We are much obliged to the writer for giving us an opportunity of saying one word on what we consider the fallaciousness of the theological view of the relation of the criminal to society. "N. M. W.'s" doctrines are in fact neither more nor less than the Calvinist form of the common Sentimentalist error. The God of the ordinary Sentimentalist is almost always a God of mercy and not a God of justice. The Sentimentalist exacts nothing of anybody, and would impose no obligation on anybody. The word "duty" has no place in his vocabulary, and, in trying "to look at the world with God's eyes," he naturally enough looks only with eyes of pity and sympathy. Criminal justice in his hands, therefore, would be a kind of nursing process. When he heard of a crime having been committed, he would indeed shut the murderer up, but only for the purpose of petting him and saving him from the annoyances or inconveniences to which the popular horror of murder would naturally subject him. When, however, a theologian of the Calvinistic school undertakes the administration of criminal justice, he, too, endeavors to see the world with God's eyes, but his God is a God of justice rather than of mercy, cherishing a deep hatred of iniquity as such, and requiring punishment as an expiation of sin, without regard to consequences. To him, therefore, it makes no sort of difference, as our correspondent points out, what the consequence of punishment to the criminal or society may be, as long as the demands of "immutable justice" are satisfied. If immutable justice required that a murderer should be hung, hang him he would, though it were plain as possible that the result of hanging him would be a great increase of murders.]

Now the answer to all this is plain. Neither the Sentimentalist nor the theologian can see the world with God's eyes, and therefore all attempts on their part to embody divine justice in human legislation, or administer divine justice through human jurisprudence, are—with all respect be it spoken—pieces of mingled folly and presumption. The eyes with which they look at the criminal are ordinary human eyes; their vision is the ordinary human vision, clouded or distorted by prejudice, by passion, by bad education, by weakness of mind and of body. The reason why they ought not to try to make the criminal satisfy the demands of "immutable justice" is that they do not know what the demands of immutable justice in his case are, and nobody knows but God Almighty. For the work of administering divine justice, in short—which is the kind of justice which "N. M. W." has in mind, apparently, without being conscious of it—the Pope or the Archbishop of Canterbury or Dr. Hodge of Princeton, whom our correspondent quotes, is as well equipped as Wendell Phillips or Susan B. Anthony, but not a whit better. But how can this be? we shall be asked—the Pope, the Archbishop, and Dr. Hodge have revelation to guide them touching God's views of crime and of punishment, while Wendell Phillips and Susan B. Anthony have nothing but their own stormy bosoms to guide them about anything. Yes; but not one of the five has the least knowledge of what passes in the criminal's heart, either when he plans the crime or when he commits it. In other words, to administer divine justice, or "immutable justice," or "eternal justice," the secrets of all hearts must be open to you; you must be able to weigh with absolute precision the strength of the temptation before you can fix the degree of guilt or apply the appropriate penalty in the forum of absolute right. God can do this; God, it is to be presumed, does this; but who are we that we should even talk of doing it? It is with the utmost difficulty that we find out who has committed a crime; is there, therefore, not something absurd in our attempting to determine the exact extent to which the criminal has sinned in committing it? Do we know or pretend to know how hard he fought

against his disposition to commit it—what agencies outside of himself contributed to the formation of his disposition to commit it, and by what remorse he was rent after he had committed it? Do we, in short, know anything whatever about his moral guilt, and is not his moral guilt—or, in other words, his responsibility at the bar of absolute justice—something with which we therefore have really nothing to do? Moreover, God does not need our assistance nor our legislative or judicial machinery in the work of exacting expiation. To hold that he depended on it in any way would be to hold that there are frequent failures of absolute justice owing to the imperfection of courts of police, which is preposterous. Absolute justice is never foiled or delayed. It would work though there were neither courts nor police nor government on earth.

In short, criminal justice must be based on utilitarian principles, because no other arrangement is possible. What persons of "N. M. W.'s" way of thinking mean when they talk of any other standard of criminal liability than the utilitarian standard, is simply contemporaneous public opinion or passion. At one time, and not very long ago, it was believed in the most civilized countries of the world that justice required that criminals should be executed for petty theft and tortured for murder or treason. We have got rid of all those horrors and absurdities by the adoption of the simple rule—which all can understand and apply—that punishment should be regulated, as regards motive, duration, and intensity, by its observed effects on the number and gravity of offences and on the manners of the community. In other words, criminals ought to be used for the good of society, and nothing else.—ED. NATION.]

## Notes.

A TRANSLATION of Baron Hübnér's "Life and Times of Sixtus V.," by James F. Meline, is in the press of the Catholic Publication Society. It will differ from the English translation by Mr. Jerningham, we understand, not only as an original rendering, but as being still more abridged for popular reading. The former omits altogether Hübnér's third volume, consisting of *pieces justificatives*, while Col. Meline has omitted in addition the diplomatic correspondence, which is chiefly of interest to scholars.—Mr. Charles Nordhoff, turning to account his late visit to the Pacific coast, will publish, through Harper & Bros., "California: for Health, Pleasure, and Residence."—"A Biographical History of Lancaster County, Pennsylvania," by Alexander Harris, is announced by E. Barr & Co., of Lancaster.—Hurd & Houghton will issue as a small quarto "Songs from the Old Dramatists."—Ginn Brothers, Boston, announce "English of the XIVth Century," illustrated by notes, grammatical and etymological, on Chaucer's Prologue and Knight's Tale, by Professor Stephen H. Carpenter, of the University of Michigan.

—A correspondent writes us from Lexington, Va.: "In the interesting letter in regard to the South Carolina phosphates in your issue of September 5, the writer has fallen into error in casually alluding to Dr. N. A. Pratt as having been elected to a professorship in the University of Virginia. Dr. Pratt was elected to the chair of Applied Chemistry in Washington and Lee University at Lexington, Virginia, where he is about entering upon his duties. This chair was established a few years ago at the instance of Gen. R. E. Lee, when in the reorganization of that institution he provided in a liberal manner for the teaching of those sciences so necessary to the development of the resources of the South. In view of the great accuracy of the *Nation*, I will also take the liberty of mentioning another oversight in the same issue. You speak of Dr. B. M. Palmer as 'of Virginia.' This distinguished divine is a South Carolinian, but has been for years a resident of New Orleans."

—Mr. B. G. Northrop, of New Haven, Secretary of the State Board of Education in Connecticut, offers to the right sort of applicants a novel and easy missionary labor, in which any one might be glad to share. The Chinese Government, like the Japanese (though on a less liberal scale), is sending young men to this country to acquire the best education which our schools and colleges afford, and its agent, Yung Wing, a Yale graduate of '54, has just arrived in charge of some thirty Chinese lads averaging twelve years of age. These he is desirous of placing immediately in cultivated families in different parts of Connecticut and Massachusetts—not more than two in the same family, generally not more than two in the same town.



They are to remain fifteen years in the United States, so as to allow time for a thorough and complete course of study—academic, collegiate, and professional. The families which receive them will be expected for a fair remuneration not only to furnish them with board, washing, fuel, and lights, but also with private instruction in the language and in rudimentary branches. They have just begun the study of English. This party will be succeeded by others, to the number of 120 in all. It is to be hoped that the next census will not only enumerate these among the inhabitants of New England, but as many more of their countrymen as may come on a similar errand; and there ought to be no difficulty in finding suitable homes for them. Mr. Northrop should be addressed for further particulars.

—"Though Dubuque," writes a correspondent, "is by no means a central place of meeting, and the weather more than fulfilled its promise of being uncomfortably hot, there was yet a fair gathering to attend the twenty-first session of the American Association for the Advancement of Science. More than one hundred and fifty members were on hand, and about a hundred papers were read, their authors, however, not being invariably present. Perhaps the most important matter brought forward was the proposition urged by Professor Peirce, Superintendent of the United States Coast Survey, that the several States should co-operate with his bureau in making a topographical survey of each State, and thus of the whole country. The expense to each State would be nearly nominal, while such a survey would be of the utmost value in defining its boundaries, and in the construction of railways and county roads, obviating the necessity of private companies making such surveys. The usual good, we may trust, was effected on this occasion by the contact of scientific men with the public, whom it is so desirable to persuade that our methods of instruction in the physical and mental sciences stand in pressing need of reform, and to rid of that undefinable distrust of the tendencies of modern scientific speculation which is a real hindrance to the better education. The members of the Association were very hospitably entertained by the citizens of Dubuque during the entire week, and were also favored with excursions and free passes by the various railroad and steamboat officials."

—Everybody agrees that the country has been sick, the only difference is as to the remedy. The doctors who met at Philadelphia prescribed the Republican party pure and simple. The Cincinnati doctors, on the other hand, advised a mixture. The Republican party, they said, was no longer "pure and simple"; it had lost its virtue—had run out, in short. The case was not without a precedent. We find it thus related in the *Japan Gazette*:

"Certain British merchant vessels, which do not carry 'an experienced surgeon,' are supplied with medicine chests, with suitable books of direction. A sailor on board one of these—she is not in harbor now—once applied to his captain for relief, his complaint being that 'he had something on his stomach.' Under these circumstances the skipper consulted his condensed pharmacopœia, and promptly prescribed a wine-glass full of No. 15, the drugs being numerically indicated after the symptomatic descriptions of disease. But there had been a run on No. 15, and the bottle was empty. Was Jack to die for lack of medical assistance? Perish the thought! The skipper was a man of ready resource. There was plenty of No. 8, plenty of No. 7. 'Seven and eight make fifteen,' said the captain; and Jack, to whom the calculation seemed quite natural, took the joint mixture with startling effect; for whatever was on his stomach came up with a rapidity that would have astonished the Royal College of Physicians."

—At a recent meeting of the Austrian Association of Engineers and Architects, Baron Von Schwarz-Senborn, Chief Director of the Vienna Exhibition, gave an interesting account of the undertaking, its general arrangements and its specialties of detail, from which we condense the facts most interesting to American readers. The Baron passed in review all of the previous exhibitions, and pointed out in detail their various shortcomings. In the first great building of 1851, much inconvenience was felt by the penetration of the rain, and the same difficulty occurred in Paris in 1867, occasioning the loss of very considerable property. The galleries, which had hitherto always formed a part of exhibition buildings, had many drawbacks; they interposed difficulties in construction and were a constant cause of dust; besides, experience had shown that only a limited number of visitors ever ascended to them. A further remarkable disadvantage of former exhibitions was in the inadequacy of entrance and exit. It happened at London in 1851 and 1862, and in Paris in 1856 and 1867, that a great number of wagons and carts accumulated in the last few weeks before the opening at the gates of the Exhibition building, and goods could not be unloaded for six or eight days for want of proper accommodations. The shape of former buildings and the distribution of space was such that the goods of one country had to be carried across the space allotted to another, and much collision, confusion, and loss was the consequence. The distribution of light was unequal. Some exhibitors had too much, others were altogether in the dark. It was the intention of the Austrian Commission to prevent the recurrence of similar

mistakes in the building under their charge. The Parliament had granted three millions of gulden as a contribution and three millions more as a subscription to the guarantee fund, in all six million gulden, or three million dollars. The expenses of the Paris Exhibition of 1867 were 11,600,000 francs, which were covered partly by the admission fee and partly by the sale of the old building. The subscription of the Austrian Government was, therefore, on a most liberal scale, and likely to cover all possible wants. Mr. Scott Russell was consulted upon the plan proposed for the Vienna building, and, after a full discussion of the site and future uses of a portion of the building, a design was adopted and the work at once begun. The imposing part of the Exhibition building at Vienna is a large iron rotunda or dome placed in the centre, 353 feet in diameter and 275 feet high. The total weight of the iron-work of the dome is 4,000 tons, and it rests upon foundations made in concrete built in October, 1871, and is to be finished before the 15th of September, 1872. To convey some idea of the immense proportions of the dome, it may be well to compare it with St. Peter's at Rome, St. Paul's, London, and the Exhibition of 1862. The span of the cupola of St. Paul's is 35 metres; St. Peter's, 49 metres; Exhibition of 1862, 50 metres; Vienna Exhibition, 108 metres. The rotunda forms the centre of the main gallery or nave which is 82 feet wide and 2,968 feet long. The nave is crossed at equal distances by 16 transepts 49 feet wide and 672 feet long. Between the transepts are 24 courts, which are enclosed on three sides, and have the same length as the cross-naves, and are 114 feet wide. These courts facilitate the lighting of the Exhibition building by means of high side-windows, so that glass roofs are entirely omitted. The courts also afford ventilation, and in case of need could be covered in and incorporated in the building. Great facilities are offered by this arrangement for introducing or removing goods, and should any country be delayed in its arrangements, the section could be closed without inconvenience to visitors. The order of the nations will be according to their geographical position from East to West, and a walk through the building will be tantamount to a journey around the world. The following table shows the space occupied by former exhibitions and to be used in Vienna:

London (Hyde Park), 1851.	94,000 square yards.
Paris (Champs Elysées), 1855.	123,214 "
London (Brompton), 1862.	222,316 "
Paris (Champ de Mars), 1867.	527,645 "
Vienna (Prater), 1873.	2,783,809 "

The available area at Vienna will therefore be about five times that given to the Paris Exhibition of 1867. Without enclosing any of the courts mentioned above, the space offered by the Vienna buildings will be 130,270 square yards. It will be seen from these figures that a park of 575 acres, nearly as large as the Central Park of New York, is appropriated to the objects of the Exhibition, and that with all the halls and pavilions and the main buildings, something like 50 acres will be under cover. Notwithstanding the vast scale upon which the Exhibition is projected, it is believed by competent judges that everything will be ready before the 1st of May, 1873. Every Government in Europe has made large appropriations to defray the expenses of exhibitors, and the number of applicants for space far exceeds anything ever known before. The only civilized nation on the face of the globe which has not made an appropriation or taken active steps to participate in the Vienna Exhibition is the United States. On the last day of its session, Congress authorized the appointment of a commission provided that no expenses were to be incurred by the Government; which, if anything, was more insulting to the Austrian Government than a positive refusal to have anything to do with the Exhibition would have been. We do not now see how this error can be retrieved nor how it will be possible for the United States to be properly represented, even if the next Congress grants an appropriation and applications are made for space. The United States Commissioner, General Van Buren, is doing all he can to remedy the error, but without money and at this late day his task is a difficult one, and we fear must result in failure.

—In a brief communication to the *Athenæum* of August 31, Mr. George Finlay gives an interesting account of the revival of the University of Athens since the revolution of 1832, including the careful arrangement of the national library, which had hitherto been "a mass of books piled up in heaps without classification," and of the museums of natural history and mineralogy. The first volume of the "Catalogue of the Collection of Ancient Coins in the National Museum," compiled by Mr. Postolakas, has just been published, and Mr. Finlay pronounces it "probably the very best model of a numismatic catalogue that exists." It extends as far as Macedonia, including the kings. "To an exact description of each coin, legend, and representation, an indication has been added of its weight as well as size, and of the name by which it was designated." Thus one may find in

it the *lepton* (mite), two of which, according to St. Mark, made one farthing (*quadrans* of Tiberius, which is also figured in this collection). Examples of these *lepta*, of the coinage of Athens and Corinth, are by no means rare. The small *quadrans* weighs about thirty grains, and has the head of Hercules on the obverse, and the prow of a galley on the reverse. "The silver coins of the Athenian Republic offered a bright example of the financial honesty and the numismatic skill of the democratic mint. For a period of more than five centuries, from the time of Solon to the time of Augustus, the Athenian coinage suffered no deterioration. There is no example of any other state keeping its financial honor equally unsullied."

—H. Kiepert, in No. 39 of the *Journal of the Berlin Geographical Society*, gives the population of the kingdom of Greece according to the census of 1870. The total of the civil population was 1,437,026, inclusive of 5,261 foreigners; but to this should be added the army (12,420 men), the navy (1,315), and absent mariners (7,133), making the whole number 1,457,894—almost exactly the same as the population of Massachusetts. There is, however, a marked contrast between these two states in the proportion of the sexes. While in Massachusetts the women are largely in excess of the men, Greece counts 754,176 men to 703,718 women. As for the increase of population in the kingdom, it has averaged, during the past nine years, not more than one per cent. Many of the islands show a positive decrease.

—Carlyle, omnivorous in his digestion of all material relating to Frederic the Great, speaking of his imprisonment while Crown Prince at Cüstrin, says: "We hear of tragic vestiges still traceable of Friedrich belonging to this time: texts of Scripture quoted by him, pencil-sketches of his drawing, expressive of a mind dwelling in Golgothas, and pathetically, not defiantly, contemplating the very worst." He refers evidently to an incident, which is related further on, of Frederic's borrowing a Concordance from Chaplain Müller, and returning it with a drawing on the fly-leaf of the figure of a man on his knees, with two swords hanging crosswise over his head, and, underneath, verses 25, 26 of Psalm lxxiii. The present Crown Prince keeps in his chamber at Babelsberg a great folio Bible, published at Strassburg in 1630, and adorned with engravings on copper of some merit. It is the one furnished Frederic at Cüstrin by his father's command when denied all other books but the Prayer-book. He seems to have read it quite through, for numerous passages in the Old and New Testaments are underscored with a red pencil, sometimes with marginal comments added. In the Psalms he found much that corresponded with his miserable state, but Psalm lxxiii. does not appear to have been emphasized here. When the stringency of his confinement began to be relaxed or evaded, so that he could be furnished with colors, he set to work to illuminate the copperplates, and made creditable progress as he went on. When his exile was ended, the Bible was retained by his valet, Eversmann, from whom it passed by descent to the Witzleben family, and by them was restored to the royal possession.

#### FREEMAN'S GROWTH OF THE ENGLISH CONSTITUTION.\*

##### II.

WHAT are the merits and defects of an unwritten or conventional constitution? This is the second enquiry suggested by Mr. Freeman's work, and is a question which would be easy enough to answer had it not been obscured by a mass of irrelevant metaphors. The most celebrated of these is embodied in the assertion, that the constitution has grown, and has not been made. This dictum, though it has exerted greater influence than a thousand arguments, is, as a reason either for or against an unwritten constitution, absolutely worthless. The English public, no doubt, have been led to think that institutions which can be compared, even metaphorically, to the products of nature, must possess some mysterious and transcendent excellence, and apparently forget that a weed grows no less than a useful plant. But the very small amount of truth suggested by this current metaphor amounts merely to this: that there is some presumption, though not a very strong presumption, that institutions or customs which have grown up by degrees are well suited to the people among whom they flourish. Any one who will clear his mind of the mass of rhetorical reasoning invented mainly by the ingenuity of Burke, and kept alive by politicians who wanted to throw an air of philosophy over respectable conservative principles or prejudices, will find that an unwritten constitution, depending not so much on laws as on usage, has some real though by no means mysterious merits, counterbalanced by serious defects.

Such a constitution admits, from its indefinite character, of being gradually and almost insensibly changed. No one doubts, for example, that the power of Queen Victoria is far less than that exerted by George III., and considerably less than the authority wielded even by William IV. Every one,

again, is aware that the House of Lords could not offer the same opposition to any bill supported by the nation which they offered in 1832 to the Reform Bill. In other words, the constitution has been changed, within the last forty or fifty years, so as to diminish the direct power both of the crown and of the peerage. But it would be impossible to point to any statute by which this result has been produced. It is for the most part the effect of a revolution in what Mr. Freeman terms "constitutional morality," that is to say, of an alteration in the general understanding on which the government of the country is carried on. Few persons again can doubt that a revolution of this kind has been achieved with much less irritation and controversy by being carried out gradually, than if, as probably must have been the case under a written constitution, the powers of the crown or the peerage had been diminished by means of direct enactment. The flexible and uncertain character of the constitution has a further effect which has not received sufficient notice. It diminishes the bitterness as well as the permanent effect produced by any turn of public feeling in a conservative or reactionary direction. This arises from the fact that the institutions of the country can, in case popular feeling changes, be administered in a different spirit without being changed in form. In 1819 and 1820, for instance, the governing classes, if not the nation, were, as every one now perceives, under the sway of the strongest Tory sentiments. If, at that time, the comparatively liberal feelings which prevailed forty years earlier had been embodied in a definite constitution of a more or less democratic character, it is almost certain that an organic change in a conservative direction would have been attempted, and probably attempted with success. As it was, the Tories of the day were content to leave the form of the constitution untouched, while they administered the government of the country in a rigidly conservative spirit; and somewhat the same result will follow whenever, under present English institutions, the tide runs strong again in favor of conservatism.

A conventional constitution has also the merit, which in some states of society is a great one, of leaving a large number of questions, and especially the question of the exact distribution of the sovereign power, unsettled. In theory it is of course true, as is pointed out by writers of the school of Mr. Austin, that supreme power or sovereignty must be lodged in the hands of some definite person or persons, but it is in practice often a great convenience to leave it doubtful who in the last resort such person or persons may be, since even in the most civilized nations there will be found to exist a great difference of opinion, which in general leads to no practically important results, as to the mode in which the sovereign powers either are or ought to be distributed. The English public, for example, are, as Sir Charles Dilke can testify, profoundly well satisfied with their constitutional arrangements, yet there exists an immense difference of opinion on what would seem the question, both what is and what ought to be the power of the crown; and any radical who will keep his eyes and ears open may suspect that, if the authority of the Queen were to be defined by statute, large masses of the population would be prepared to give her an authority which, as a matter of fact, she never exercises, and could not exercise in accordance with the prevailing liberal theory of the constitution.

The demerits of a conventional constitution, which are closely connected with its advantages, are far more serious than most Englishmen admit. Institutions which have grown are as a matter of fact a series of adaptations, and are marked by the flaws always to be found in things little or great which, made for one end, are changed or adapted to meet another. Take any part of the English polity from the crown downwards, and you will find that it never simply and in the most direct manner accomplishes the end for which, as a matter of fact, it is used. You often hardly know whether to admire the ingenuity with which an institution which appears either useless or noxious is made to do good service, or to deplore the perverse obstinacy with which, for the sake of keeping up an old form, some good end is awkwardly accomplished in a roundabout manner, while every one knows that it might be far more easily attained by a sacrifice of the form, and making the institution in name what it is in reality. No better example of this combination of ingenuity and perversity can be found than is afforded by the maintenance of the House of Lords as a supreme court of appeal. In theory, every peer, whether a layman or a lawyer, whether young or old, whether known for his wisdom or notorious for his folly, is a member of the highest tribunal in the land. Nothing except custom and the force of opinion prevents any lordling of twenty-one, just rusticated by his college, from deciding by his vote questions which have taxed the ingenuity of all the judges in the land. Custom and opinion have, however, in this case, gradually exerted a force practically equal to that of law, and have, though within comparatively modern times (for in one case at the beginning of the century some of the bishops voted on an appeal), excluded from all part in legal discussions any peer who is not a law lord. Hence an assembly which could not be tol-

\* "The Growth of the English Constitution, from the Earliest Times. By Edward A. Freeman, M.A., Hon. D.C.L., late Fellow of Trinity College, Oxford." London and New York: Macmillan, 1872.



rated as a law court if its members exerted their legal power, has been converted into a very tolerable court of appeal.

Unfortunately, the plan of pretending that a body in reality consisting of five or six law lords is the same thing as the House of Lords, involves the inconveniences which inevitably attach to such pretences. The court can only meet while Parliament is sitting; the court delivers a set of speeches and not a judgment, because the members are supposed to be simply speakers addressing the House of Lords; the court can only consist of persons whom it is desirable to make peers, and hence cannot be strengthened by the presence of judges who, though of great eminence, are, from different circumstances—for example, from want of wealth—not the men who could be offered or who would take a peerage. In other words, you have an indifferent court of appeal, because you insist upon the court appearing to be something which every man knows in reality it is not. On the wish of the House of Lords to keep up the mere appearance of being itself a law court, bill after bill for the reform of the law has been wrecked. Their lordships know perfectly well that they are not, and that no one believes them to be, a real court of appeal, but their lordships are determined that, come what will, the House of Lords shall be called the Court of Appeal; in other words, the most obvious and substantial improvements are sacrificed in order to keep up an ancient and entirely useless form. We have dwelt on the position of the House of Peers as a court because it happily exhibits at once the strong and the weak points of an institution which has grown and not been deliberately created. But hundreds of other instances may be found of the practical inconvenience caused by constantly modifying the system of government, not through direct changes, but through indirect alterations in the spirit and working of ancient institutions. The whole system, for example, of party government, which makes it almost impossible to carry through a whole mass of useful legislation which has really nothing to do with party divisions, is the result of a series of gradual and almost imperceptible changes, which have altered the whole relation of parliament to the crown, to the ministry, and to the people. It must not, however, be supposed that the evils of a conventional constitution consist only in the inconvenience caused by awkwardly adapting means to ends for which they were not originally designed. Another and in some respects more serious evil is that changes are often allowed to take place of which no one perceives the full effect until too late to apply a remedy. It is, for example, extremely probable that an alteration is gradually taking place in the English constitution which, whether it be good or bad, is a most serious one, and ought, if it be introduced at all, to be introduced after full debate and due consideration. This change is the introduction of the principle of what in Switzerland is called the *Referendum*. By the *Referendum* is meant the plan of referring back to the direct vote of the people any law of considerable importance. In some of the Swiss cantons the principle is, we believe, adopted, and the way in which at any rate it would, where adopted, work, is that no law, *e.g.*, changing the franchise, disestablishing the church, and so forth, could be finally passed by the parliament or representative assembly, unless it had also been approved by the mass of the electors. Now, of the merits or demerits of such a system we have here nothing to say. It is, however, pretty plain that the principle, if once admitted, would affect the whole position of parliament, and that it is one which the mass of either liberal or conservative Englishmen would admit with great hesitation. Nevertheless, the *Referendum* is in a very curious manner being in substance, though not in form, gradually erected into a principle of English politics by the action of the House of Lords. Their lordships have now in effect admitted that they are bound to yield to the clearly expressed will of the nation. But they have shown a strong tendency, notably in the case of the bill for the disestablishment of the Irish Church, to maintain that the will of the nation cannot, on any topic of importance, be considered definitely expressed by any House of Commons not elected with distinct reference to the particular subject. Suppose, for example, the present House of Commons were to pass a bill effecting radical changes in the land laws, the peers would, in accordance with their present policy, refuse to pass the measure, on the ground that it was not one on which the constituencies had been consulted; in other words, the House of Lords upholds, in effect though not in name, the principle of the *Referendum*, and thus is unconsciously establishing one of the most dubious democratic innovations of the day.

None, however, of the specific and tangible evils fostered by a constitution resting, as a conventional constitution must do, mainly on fictions, are nearly so serious as the spirit of fiction which it fosters among the people who are ruled by it. No one can examine any part of English public life without seeing that there is nothing which either statesmen or people dread so much as calling things by their right names. No one, for example, supposes that there are not a considerable number of persons in England who are, in theory at least, republicans. But when any man of position says

openly that he sees advantages in making the government avowedly a republic, all persons, from Mr. Gladstone down to the gentlemen at Bolton who crush republican principles by force of brickbats, seem as much annoyed and shocked and dismayed as if it were impossible to conceive any man to be a republican who was not either a fool or a knave, or both. Look again at the endless and fatuous discussions on all ecclesiastical topics. The plain matter of fact is that the English public, like the public of all civilized nations, are divided, and are gradually becoming more and more clearly divided, by the most marked differences of belief with regard to the most fundamental of theological dogmas. Yet few persons of any kind, and certainly no person of eminence, ventures to recognize a fact which is plain as day to any one who can either think or observe; and when such a question as the maintenance of the Athanasian Creed is brought up, one set of persons, who really object to the Creed because they disbelieve it, say they object to it simply because it is uncharitable; whilst their opponents, who really support the Creed because they hold it to express the truth, pretend that they support it on the ground that its most important clauses are, for some incomprehensible reason, not to be looked upon as essential parts of the document. The fictions of the constitution seem to have entered into the spirit of the nation itself; you have a whole body of institutions which seem to be one thing and are something else, and at last every one forgets the immense advantage in politics, in religion, in law, and indeed in every department of life, of doing things in the most direct manner, of calling things by their right names, and of simply saying what you mean and meaning what you say. In one of Grimm's stories, an ingenious dwarf finds a sack, and by cutting a hole through it for the head and two holes for the arms, makes for himself a more or less passable shirt. Hans admires the contrivance, and whenever he wants a shirt, first elaborately makes a sack in order that he may cut holes through it and turn it into a shirt. If Hans had been imbued with the spirit of the British constitution, he would have maintained with many ingenious arguments that no shirts were good which were not manufactured in this roundabout manner out of a sack. An ordinary shirt looks better, but, after all, your sack-made article may, if you like the metaphor, be said to have *grown* rather than to have been made for the end for which it is ultimately employed.

#### A NORTHERN MISSIONARY IN GEORGIA.\*

MR. STEARNS'S volume has much the semblance and the opportuneness of a Republican campaign document; he asserts pretty broadly, however, that it was directly inspired by God. "It would be singular enough," he says, "for God to command one, for instance, to publish a book, and then fail to provide him with the means for so doing. I therefore believe that, on my arrival at the North, a way will be opened for the publication of this book, although at the time of writing these lines I have only a small portion of the necessary means on hand." We do not propose to consider its merits as a work of inspiration, since we find it interesting on other and more easily comprehensible grounds. It is not every day that one finds a man so serenely satisfied with himself and all that belongs to him as Mr. Stearns is, and so engagingly open in taking his readers into the secrets of his heart and conscience. His book is full, moreover, of very amusing and interesting details concerning the freedmen; it gives some important documents concerning the Ku-klux outrages, and intimates very plainly that a second term of General Grant's Administration is sorely needed to repress "the rebels."

Mr. Stearns was a self-appointed missionary, belonging apparently to none of the sects, but entertaining charitable feelings toward all of them. Perhaps we might call him a Christian Spiritualist, holding decided anti-slavery views, anxious to elevate the blacks by education, and desirous of gaining for himself and a limited number of them a sufficient maintenance by co-operative farming. He and his wife had resolved during the war that if it resulted in the abolition of slavery they would go South and do what they could "for the perfect development of the colored race." His wife died, however, and though he supposes that she "still watches over him in spirit," he took another helpmate without needless delay, and in 1866 found himself in Savannah, ready to begin his labors. The contents of his volume are pretty evenly divided between the interior and exterior troubles of Mr. Stearns and the subjects indicated by its title; and, as we intimated before, it is not bad reading on both accounts. He was not able to try co-operation, partly by reason of the opposition offered by his partner in business; and his endeavors to instruct the negroes drew down upon him very fierce anger from his neighbors. His negroes were very lazy and very great thieves, and, though they were very religious, and listened with great eagerness to his

\* "The Black Man of the South, and the Rebels; or, The Characteristics of the Former, and the Recent Outrages of the Latter. By Charles Stearns, a Northern Teacher, Missionary, and Planter, and an Eye-Witness of many of the Scenes described." New York: American News Company. 1872.

Sunday instructions so long as they had no immediately practical bearing, yet when repeated depredations excited in him a great zeal for the eighth commandment, his hands stayed away from meeting, and finally appointed a committee to wait upon him and make the following suggestion: "Now, Mr. S., if you must talk about stealing, why not call us together on Monday and tell us about it, and let us have a good heavenly time on Sunday, in worshipping the God we all love so much!"

After experiencing a good deal of ill-treatment, which, by his own account, he bore like a saint, and having many serious losses—among others that of his second wife, who, however, appeared to him in her spiritual body within an hour after her death, consoled him greatly, and promised to be with him always, a promise which he says "she has nobly redeemed"—Mr. Stearns concluded that God had work for him "in a more favored portion of his vineyard," and came North with his third wife to narrate his experiences and devote himself to laboring for the colored race. This book is, we suppose, his first effort in his new field of operations.

The Southern whites seem to him to stand very greatly in need of being reconstructed by a strong hand. They are, he says, as bitter rebels as ever, and their hatred of the blacks, and their unwillingness to have them educated, amount to a monomania. He gives a good many facts and documents which seem to bear out his view. He was himself elected "Judge of Ordinary" for the town of Apling in 1863, but on attempting to enter upon the duties of his office was so roughly treated, and so severely threatened by a mob, that after endeavoring in vain "to talk to them of Jesus," and having submitted with great meekness to have his nose violently tweaked by several persons, he pacified his opponents by resigning his office. He gives a rather long account of this scene, and some of the incidents are curiously characteristic of the Southern disposition. This, for instance: "I was then invited out of doors by one of the crowd, with the humane assurance that if I ventured out, 'I will beat you into such a jelly that your own wife will not know you.' This polite invitation he repeated several times, when a bystander whispered something in his ear, and he immediately took off his hat, and said, 'I ask your pardon, Mr. Stearns. I did not know your wife was dead. Excuse me, sir.' This affected me so much that I burst into tears. I was unmanned at the sight of such a demonlike nature changed so suddenly into a humane man by the transforming power of domestic affection; for if he had not loved his own wife, he could not have felt so deeply for another's affliction. Does not this little incident afford convincing proof that the worst of men have a spark of humane feeling left within them? Is there not some good in even a demon?"

His remarks on the blacks, their characteristics and their capabilities, and the anecdotes by which he illustrates his positions, are in general very amusing. He finds in them no intellectual deficiency and a great desire for instruction. Religiously, he finds them actual heathens and nominal Baptists. Owing to the fact that what little had been taught them about the Bible by their former masters had convinced them that it was strongly in favor of slavery, they have very little faith in what Mr. Stearns calls its "divinity"; and, in particular, those in opposition to the "sinner-men," who are known as "saints"—the preachers, exhorters, and the like—hold very strong views as to its worthlessness when compared to the "witness of the Spirit within." He gives an account of a dispute which occurred in his presence between David, the "spiritual shepherd of the black flock on my plantation," and two of the "sinner-men." The latter were eloquent in defence of the Bible, but David, having first denied their right to speak at all on the subject, saying, "Dem ar sinner-men, Mr. Stearns, hab no rights at all in dis yer concussion. I protest agin dem sinners being 'lowed to teach we who are de saints of de living God," proceeded to give what he considered proof positive against the inspiration and authority of the Bible. "He arose as if under the influence of some powerful inspiration of the Spirit, and, advancing to the table, on which were lying the Bible and two hymn-books, he seized them in his hands, and holding them up before the excited audience, he exclaimed at the top of his by no means diminutive voice, 'Now, here is tree books, all de wich, ye say, comes from de Almighty,' and growing warm with the brilliancy of the idea, he dashed them down with tremendous force upon the quivering table, and yelled out, 'and yet ebery one ob dem is 'tirely different from de oder. Can de holy God write all dese tree books and dey all so different from de oderers?'"

Nine-tenths of the plantation hands he affirms, on the authority of an intelligent Southerner, to be disbelievers in the Bible, and though they are ardent church-members, they know so little of that volume as to warrant their disbelief. One woman told him that her "ole massa" assured her that "Jesus Christ once got drunk, and that one of his sons insulted him when he was drunk, but one was good to him. After he came to his senses he found out what had been done to him, and he cursed his bad son, and said his children should always be the slaves of his brother. He said we all came from

the bad son and they all from the good one, and that was the reason why we were their slaves." The Virgin Mary had more sincere believers in her power, he thinks, than Christ had. He was sometimes told that she "died for de sins of de world," and, considering that there were no Catholics in the neighborhood, the fact struck him as a strange one. The only Biblical character about whom any distinct idea was entertained he found to be Daniel, of whose adventure in the lions' den they all seemed to have heard something. Their immorality, especially in the matters of lying, thieving, and impurity, he found very great, and the most religious of them seemed to see no connection between religion and morality. Here is a case in point: "Once on visiting a friend's plantation I enquired for a man by the name of Jim, who was a preacher, but usually absented himself from the religious services we occasionally held on the place because I said so much about lying and stealing, as he said. I was told he was in jail. 'In jail!' said I with great surprise, 'Jim the preacher in jail; what can that be for?' 'Oh, nothing,' said Thomas, my informer, 'he only jus' stole a few turkeys, and den he sell 'em and got cotched,' and he added: 'I went to see him de oder day, and he tells me—'You jus' tell dem darkies as b'longs to my church not to be downhearted, for de Lord will bring me one day to be wid um agin, and dey must not forget to pray for me.''" That men and women brought up under such a system as Southern slavery should be both liars and thieves is a fact which ought to surprise nobody.

From a purely literary point of view, Mr. Stearns's book is not to be praised; but as a very naïve exposure of a rather peculiar interior life it very well repays reading. In thinking of it as a description of things at the South we have to recollect that all descriptions are the better for having been made by persons of sense. Of Mr. Stearns as an observer we suppose our readers will be able to judge from the glimpse of him which our notice has afforded them.

#### AN ENGLISH DIPLOMAT IN GERMANY.\*

THERE is no more valuable commentary upon history than the memoirs of politicians and diplomatists who, from their position, have been enabled to see some one aspect of events with perfect clearness, and even to go somewhat below the surface of things. Mr. Ward's memoirs have a peculiar value for two reasons—first, that his entire diplomatic life of thirty years was spent in one nation, so that he came to know that nation more intimately than can often be the case; second, that he is a Catholic, accredited from a Protestant nation to a Protestant nation, for it was in the Protestant cities of Berlin, Leipzig, and Hamburg that his diplomatic life was passed. In view of the importance that the religious question is now assuming in German politics, students of the subject will be glad to have the impressions of an English Catholic, moderate and intelligent, upon the events which preceded and led to the present crisis. This view is not very different from what we might expect. It embraces a long series of years, comprising a sketch of the "German Catholic" movement of 1844 and an account of the later developments of materialism, in copious extracts from Büchner's "Kraft und Stoff." The author is fair and even friendly in his treatment of Protestant statesmen and writers, and appears to be a sincere advocate of religious toleration, although he admits (p. 12) "that several Roman pontiffs have laid themselves open to such a charge [of persecution]." He accepts the doctrine of infallibility as a necessary result of the Catholic system, and as "not disputed by orthodox Catholics" (p. 212). As might be expected, converts to Catholicism are mentioned with satisfaction, and at every point the Catholic aspect is prominent. This is precisely what the reader desires. We even have (p. 197) the analysis of a novel, written by the Countess Hahn-Hahn after her conversion, in which the Protestant sister turns out badly and becomes an habitual gambler, while the Catholic sister—although undergoing great sufferings, which were the penalties in this world for the misdeeds of an ancestor of her husband who had enriched himself at the expense of a monastery—is a model of piety and devotion.

The most important passage on this head is a discussion, in several pages, of the religious condition of Germany (p. 156). In this and elsewhere, Mr. Ward emphasizes the perfect religious toleration which exists in Germany as the result of the Peace of Westphalia, and bears testimony to the favorable workings of the system. In another place, he anticipates the time when all will be Roman Catholics or infidels—does he imagine that, when that time comes, and the Church shall have the same power concentrated that the churches have now, this religious toleration will continue to exist, and that the freedom of thought will still be recognized? In the discussion mentioned above, there is a valuable statement of the relation of the canon law to the

\* "Experience of a Diplomatist: Being Recollections of Germany, founded on Diaries kept during the years 1840-1870. By John Ward, C.B., late Her Majesty's Minister-Resident to the Hanse Towns." London and New York: Macmillan & Co. 1872. 8vo, pp. 279.



civil law in several states, and a history of the Austrian Concordat, established by Count Von Buol-Schauenstein and abolished by Baron Von Beust. Naturally enough, the author regrets this latter act, and fails to see anything oppressive in the instrument, although he admits that it was unpopular, and "even among the Austrian Catholics it had many opponents." In conclusion, he naively admits that the whole difficulty lies in the claim of the Church of Rome "to be in the possession of the objective truth," and therefore to have a *right* to the control of education, marriage, etc. "M. de Beust was a Lutheran; as a good Catholic, he could hardly have disturbed the Austrian Concordat, for the principles which it sanctioned were in conformity with those which the Church maintained as an essential part of the Christian religion." "Austria," he remarks (p. 164), "is a consolidation by artificial means of a number of different nations, of which the sole common bond was the Catholic religion"—forgetting the Protestants of Hungary and Transylvania and the Greek Christians of other provinces.

These passages illustrate the tone of mind of the writer—not perhaps ultramontane, but wholly unable to appreciate or understand the idea of purely secular government, or the real character of rationalism in religion. The great movements of thought in Germany are beyond his scope; and he utterly fails to see the significance of that mighty revolution which has transferred the sceptre from Catholic Vienna to Protestant Berlin, and which has made even Austria and Bavaria the champions of freedom in the Church against the head of the Church. It is, however, as we have remarked before, this very narrowness of view that gives the book its peculiar value to a student of contemporary history; it helps to an understanding of the problem if we know how it is regarded by a school whose views are clear and decided, even if they are narrow. This narrowness is not, however, to be set down entirely to the account of theology. Mr. Ward is an old man, and the tremendous events of the last ten years form a deep chasm between the age in which he passed his life and the new and more vital controversies which are now opening before us. It is surprising to see how little he gives us that throws light on the questions of the present day, social and political, as well as theological. In this we would not underrate the merits of the book; only it belongs to the past generation, and teaches us of the diplomacy of that generation, and nothing more. A man who could have seen below the surface of society in Germany in those days when the new issues were silently taking shape, and who could have taught us something of this secret process—such a man, after all, we may say, would hardly have been occupying this diplomatic post. Mr. Ward has told us what he had to tell, and we may thank him for it. Only one might have looked for the name of Schulze-Delitzsch, at least, and some mention of institutions like the Rauhe Haus at Hamburg.

In the field of diplomacy, Mr. Ward is well informed and communicative. Naturally, the most prominent subject under this head is the Schleswig-Holstein question—of which we believe it was Earl Russell who said there were but two men in England who understood it, and they didn't agree. Mr. Ward, as was natural, took the German side very thoroughly, and certainly argues it very strongly; the point of the argument lying in the fact that a *lex regia* of Denmark (1690) which admitted the succession of the female line, did not apply to the Duchies, and that, therefore, the Duke of Augustenburg, the lineal heir of Christian I. in the male line, was the rightful claimant to these. We wish he had stated more distinctly how this line

of Augustenburg and that of Glücksburg (which succeeded to the Danish throne) were related to the old line, and had made a little clearer the perplexed relation of Schleswig to Denmark on the one hand and to Holstein (which was clearly German) on the other.

The first chapter, which treats of the time before he held these diplomatic positions, gives a very good account of several of the Belgian statesmen who took the lead in the revolution which established the independence of their country. He defends the revolution, but does not state its causes quite so fully as one could desire. Other good points are an account of the Bavarian industrial schools, p. 131, of visits to the Frisian Islands and Heligoland, west of Holstein, and of the misgovernment and revolution in Hesse-Cassel. The events of 1848 and 1849 are also very well told. The book abounds in descriptions of prominent characters, many of them very well delineated, and at considerable length. These are not confined to diplomacy and politics, but comprise men of eminence in every department; for instance, the several kings of Prussia are very well characterized, and we have names of so wide a range as Niebuhr, Mendelssohn, Gottfried Hermann, Radowitz, Cornelius, Overbeck, Cobden, Wheaton, Lappenberg, and Bunsen. There is not very much incident. Perhaps as good an anecdote as any is that of King Frederic William IV. paying a visit to the King of Saxony, who, with his learned brother, John (afterwards king), waited to receive him at the foot of the staircase, when the guest cried out, "But you make too much ceremony with me, you dear little angel, and you, too, old school-master" (p. 59). When John succeeded his brother, he examined personally into everything, and among other things attended a lecture of Prof. Wächter at Leipzig. The Professor, at his close, made some remarks complimentary to his majesty, who he wished had himself filled his chair, when the king, looking up, exclaimed, "No, good Wächter, we will both for the present remain what we are" (p. 137).

It is not by way of criticism of Mr. Ward, but of the absurd diplomatic custom which he follows, that we notice his Frenchifying of German names—Mayence for Mentz, adding an *h* to Coburg, Freiburg, and Hamburg, and especially in such names as Frederic de Raumer, Dr. de Fischer, William de Humboldt, M. de Bismarck-Schönhausen, Baron de Beust.

An American is interested in the account of Baron Von Gerolt, so many years minister at Washington, and is gratified at the friendly and intelligent testimony given by him as to our civil war, which he "had always foretold would end in the discomfiture of the Southern States and the re-establishment of the North American Union. Having resided twenty years at Washington, his sympathies were entirely with the North, and he knew the strength and resources of the Republic so well as never to have doubted an instant of its eventual victory over the insurgents." This testimony, Mr. Ward candidly adds, was somewhat unwelcome both to himself and to the king and court, who "would gladly have seen a federal government erected under Jefferson Davis, believing the men of the South to be more of gentlemen, more conservative, and altogether better allies than the Yankees of New England and Massachusetts" (p. 208).

In conclusion, we may ask how soon our civil service, "the best in the world," will give us cultivated gentlemen like Mr. Ward, who can publish their diplomatic experiences of thirty years, all passed in the same country, in successive grades of promotion.

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